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CICERO IN VERREM.

ACTIO SECUNDA.

(SECOND VERRINE ORATION.)

Literally Translated

by

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PREFACE.

IN the year B.C. 70 M. T. Cicero stood for the curule ædileship; in the same year the Sicilians selected him as their patronus in the prosecution of Caius Verres for maladministration during his three years' government of Sicily. The charges that Cicero brought against him were arranged under four heads: the quæstorship under Carbo; the legatio in Asia; the prætura urbana; and the government of Sicily. Verres in his capacity as quæstor was treacherous to the consul, and embezzled the public money; he then joined Sulla's party, and was sent to Beneventum, where he received some estates belonging to certain proscribed Beneventines. Next we find him associated with Cn. Cornelius Dolabella, who made him one of his legati, and afterwards his pro-quæstor. Dolabella and Verres were a worthy pair; Cicero gives a lively sketch of their doings. Verres proved as traitorous to Dolabella as he had been to Carbo, securing his own safety by giving evidence against his old master when prosecuted by Æmilius Scaurus for 'repetundæ.' As prætor, Verres sold justice very dearly; the principal agent or go-between being his mistress Chelidon. Cicero, in the oration here translated, describes fully some glaring instances of the prætor's rapacity. In 73 Verres was made pro-prætor of Sicily; he went thither, says Cicero, with the settled purpose of plundering it; he ruined the corn-growers, beggared the publicani (farmers-general), and robbed temples and private houses of the works of

art which the Greeks of Sicily prized far more than their money. He conveyed most of his plunder to Rome in a vessel which the people of Messana purposely built for him ; this city was under obligation to him, and had been a depot for a considerable portion of his stolen goods.

The trial of Verres was a grand opportunity for Cicero. Hortensius was engaged for the defence ; the senators were opposed to the prosecution ; many had gained their wealth at the expense of the provinces, and others longed for a chance to do the same. Q. Cæcilius Niger claimed the conduct of the prosecution, hoping to secure the acquittal of his client, but Cicero, in his first Verrine oration, *De Divinatione*, proved his opponent's unfitness, and obtained sole management of the case.

The trial began on 5th of Sextilis (August). Cicero delivered no elaborate speech, but opened his case briefly, and then stated the chief charges against Verres, confirming them by an examination of witnesses or by documentary evidence. Hortensius soon saw that a defence was impossible ; he declined the cross-examination of any of the witnesses. The prosecution occupied but nine days, but before they were over Verres had started for Marseilles, the judges condemning him to exile and to make full restitution or compensation for damages.

Cicero only delivered two orations—the one entitled ‘*Divinatio*,’ and the ‘*Actio Prima*.’ The other five were written as rhetorical exercises, after the trial.

Verres lived in exile until the proscription of the Triumviri, B.C. 43. Nothing is known for certain about his end, or why M. Antonius was his enemy. His prosecutor had already fallen victim to the vengeance of Antonius. Verres is said to have met his fate with courage.

CICERO IN VERREM.



ACTIONIS SECUNDÆ.

LIBER PRIMUS. DE PRÆTURA URBANA.

I. I THINK that there is no one of all of you, O judges, who is not aware that at the present time it is the subject of public conversation, and also the general expectation of the Roman people, that C. Verres will not in a second action answer to his name when called on, or show himself in court. This rumour had leaked out, simply from the fact that he had at one time made up his mind and decided not to put in an appearance, but also because no one believed that a man could ever be so audacious, so senseless, so impudent, as after conviction on such heinous charges, by the production of so many witnesses, to have the effrontery to face his judges, and display his features before the people of Rome. But he is the same Verres that he has ever been ; his boundless audacity equals his readiness to face the charges brought against him. He is in presence, he answers to his name, he is being defended. He does not even leave himself the appearance, fast bound as he is in a most disgraceful position, of seeking by silence and absence a modest vent for his impudence. I submit, O judges, and I am not aggrieved that on my part I have to reap the fruits of my toils, and you on your part those of your virtue. Even if the fellow had acted as he at first intended, and had not put in an appearance, all that I had so laboriously achieved in preparing and establishing this prosecution would have been less recognisable than I

could have wished, and your credit decidedly light and obscure. Nor does the Roman people merely look for this in you, nor can it be contented merely with this result, that a man be found guilty, who has refused to appear, and that you are to show your courage in the case of a man whom no one dares to defend. Nay, rather let him be forthcoming, let him answer to his name; let him be defended by the unlimited resources and zeal of most influential men; let my diligence contend with their united cupidity; your purity with his money, the firmness of my witnesses with the threats and power of his supporters; his defences will not show themselves beaten down until they have actually come into collision and contest: supposing this fellow is condemned in his absence, he would appear not so much to have consulted for his own safety as to have sought to prejudice your fair fame.

II. Nor in truth can any better safeguard be found for the republic on the present occasion than for Roman people to believe that when the prosecutor has purposely struck out dishonest judges, that her allies, laws and government can be best defended by a senate; nor is there any calamity which can befall the interests of all the citizens so great as for the opinion of the Roman people to declare that the senatorian 'ordo' has no regard to truth, integrity, good faith and religion. I appear to myself, O judges, to have taken on myself the support of a most important part of our government, which is very sick and in a desperate condition; and in doing so I think I am seeking my own glory and reputation rather than yours. For I come forward to remove the prejudice with which law courts are viewed, to do away with their scandal, so that when this matter has been decided according to the will of the Roman people, the authority of the law courts might seem in some degree to have been reconstituted by my exertions; and, lastly, in the hope of settling the point, that an end of judicial controversy may be attained. Beyond all doubt in a case like this this point is brought into peril, the accused is most decidedly guilty, and if he is condemned, men will cease to say concerning trials like these, that in them money is all-powerful; if he is acquitted we shall cease to object to the transfer of such cases to

other courts. After all, the fellow has no hopes, and the Roman people no fears of his acquittal; certainly there are some who wonder at his singular impudence, in showing himself, in answering to his name: to me, considering his audacity and senselessness in other matters, even this conduct does not appear surprising. He has been guilty of many impious and grievous wrongs both towards God and men; he is agitated by the penalties due to such crimes, and deprived of reason and prudence.

III. The punishments he has inflicted on Roman citizens, of whom he has beheaded some, whilst he has murdered others in prison, whilst others claiming in vain their rights as free men and citizens have been crucified, are driving him headlong to ruin. The gods of his country are hurrying him on to punishment, as the one man who led to execution sons torn from their fathers' embrace, who actually demanded payment from fathers for the privilege of burying their murdered sons. All religious observances, all ceremonies paid to shrines and sacred objects that have been violated by him, the images of the gods that have not only been carried away from their temples, but also are lying in darkness thrust out and concealed by him, refuse to let his mind rest in peace, free from distraction and madness. The fellow seems not to me to be merely surrendering himself for condemnation; nor does the man who has bound himself down by so many crimes show himself contented with this punishment, commonly inflicted on avarice. The brutalized and cruel nature of the man feels the need of some singular penalty. We do not merely require that after condemnation restitution be made of stolen property to those who have been robbed; but atonement must be made to the gods for outrages offered, the tortures inflicted on Roman citizens; and the blood of so many innocent victims must be paid for by the punishment of this man. We have brought before you for trial not a felon, but a brigand; not an adulterer, but a ravisher; not a petty robber of temples, but one who is the foe of all sacred objects and rites; not an assassin, but a cruel executioner of our citizens and allies; consequently, I consider this man to be the only criminal within the memory of men that will be actually a gainer by condemnation.*

* Cicero seems to imply that if Verres were acquitted in this trial a special punishment awaited him from the *Populus Romanus*.

IV. For who will not be sensible that this fellow, even if acquitted contrary to the will both of gods and men, can, after all, never be rescued from the hands of the Roman people? Who does not plainly see that we should get off very cheaply if the Roman people were contented simply with the punishment of this criminal, and did not pass a resolution to the following effect: that this fellow had not incurred greater guilt towards themselves, by plundering temples, by murdering so many innocent persons, by executing, torturing, and crucifying Roman citizens, by liberating captured pirates for a bribe, than the men who, after taking oaths, acquitted such a man as this, covered with so many, so excessive, and so heinous crimes? In the case of a man like this, there is no room or possibility of making any mistake; the accused is not such a man, nor is the occasion such, nor is the assembly such (I fear lest I seem to say something too boastful before men like you), the pleader is not such a man that a criminal so guilty, so depraved, so thoroughly convicted, can with impunity be secretly withdrawn, or with impunity rescued from its grasp. Shall I not prove to judges like these that C. Verres illegally possessed himself of money? Will men like these maintain that they give no credit to so many senators, so many Roman knights, to so many states, to so many illustrious individuals, from so illustrious a province, to so many letters from nations and private persons? that they oppose the so strongly expressed views of the Roman people? Let them do so; we shall, if we are destined to bring this man in life before another court, find men to whom we can prove that this fellow during his quaestorship embezzled the public moneys which had been given to Cn. Carbo, men whom we can convince that this man on false pretences carried off money from the city quaestors, as you learned from me in my former pleadings. There will also be some men who will censure his audacity in remitting under certain entries as much of the *frumentum decumanum* as he pleased. Perhaps some will be found who will even be of opinion that his dishonesty deserves especial punishment, in that the fellow did not hesitate to remove from most sacred fanes, and from the cities of our allies and friends, the monuments of M. Marcellus and P. Africanus.

V. Suppose him to escape from the prosecution for Peculatus; let him call to mind the generals of the enemy, whom he liberated for a bribe; let him consider what answer he can about those men whom he kept back in his own house, substituted in their place; let him seek for some method of escaping, not only from our accusation, but also from his own confession; let him call to mind that in a former pleading, moved by the threatening and adverse shouts of the Roman populace, he confessed that the piratical leaders had not been executed by him; that even then he had fears that it might be imputed to him as a crime that he had let them escape for a bribe; let him acknowledge a fact which cannot be denied, that he, a mere private individual, after his return to Rome, as long as I allowed it, kept the pirate captains alive and unhurt in his own house. If he can prove in a prosecution for treason that he was allowed to act thus, I too will admit that he was quite right in doing so. Supposing that he is cleared of this charge, I will proceed at once to a point to which the Roman people have been for some time calling my attention. For they think that all questions affecting the rights of liberty and citizens are peculiarly their own; and they are right. Let the man by violence upset the senatorial plans; let him burst through the investigations of all men; let him fly out of the reach of your severity; be assured that when he has to deal with the Roman people he will be held by much tighter bonds. The Roman people will believe those Roman knights who, brought to give evidence before you, said that a Roman citizen, who was prepared to give honourable men as his securities, was actually crucified by this man before their eyes. All the thirty-five tribes will believe that most honourable and accomplished person, M. Annius, who said that when he was present a Roman citizen was put to death by the executioner. The Roman people will listen to that eminent person, a Roman knight, L. Flavius, who stated in his evidence that his intimate friend, Herennius, a trader from Africa, though more than a hundred Roman citizens at Syracuse were witnesses to his character, and defended him with tears, perished by the executioner. L. Statius, a man endowed with every accomplishment, will prove his good faith and authority and respect for

sacred things ; he, on his oath, gave evidence that many Roman citizens had suffered death by most cruel violence in this person's stone-quarries. In conducting this cause (by the favour of the Roman people, from the rostra), I am under no apprehension that either any violence will ever rescue him from the votes of the Roman people, or that any duty imposed on me in my ædileship can ever be more honourable, or more acceptable to the Roman people.

VI. In this trial, then, let all do all they can ; in this case there is no mistake which anyone can make, except with peril to yourselves. My methods not only are well known to you by the past, but have been carefully sketched out and predetermined as regards the future. I had already proved my zeal for the public good on that occasion when, after a long interval, I revived an old custom, and at the earnest request of the allies, and the friends of the Roman people (they were also my intimate acquaintances), instituted the prosecution of a most audacious man. My conduct met with such earnest approval from gentlemen of highest merit and accomplishments, that they actually gave a positive refusal to a man who had been the fellow's quæstor, and having been injured by him, was seeking redress for his true wrongs to allow a prosecution, or even to back the accusation, when he requested them to do so. I started for Sicily to make inquiries in this matter ; the speediness of my return proved my activity ; the number of my documents and witnesses proved my industry. I also proved my modesty and religious sense of duty when, visiting the allies of the Roman people as a senator, after holding the office of quæstor in that province, considering myself as the advocate of a public matter, I sought lodgings with my family friends, and connections, rather than with those who had sought help from me. My arrival proved a trouble and expense to no man, either privately or publicly. In conducting my researches, I exercised only the powers that the law accorded, not all that I might have had through the zeal of those whom the fellow had outraged. On my return to Rome from Sicily, when the man and his friends, smart and witty as they were, with a view to thwart the feelings of the witnesses, had spread reports

of this nature, that I had been induced by a heavy bribe to forego a genuine prosecution—although it obtained credit with no one, for the witnesses from Sicily were men who had known me well when quæstor in that province, whilst the men from Rome were men of high reputation, who knew every one of us quite as well as they were known themselves—I say, in spite of this, I had great fears that some might have doubts of my good faith and honesty till we came to striking out certain judges.

VII. I knew that in striking out judges some men in my own times had not avoided suspicions of collusion, although both energy and diligence were proved in the trial itself. Consequently, I challenged certain judges in order to make it manifest that ever since the existence of the form of government which we now enjoy, no assembly has ever met of equal renown and dignity. This creature asserts that he shares the credit of it with me, for in rejecting Publius Galba as judge, he retained M. Lucretius; and when his patron put the question to him, why he had permitted his three most intimate friends, Sex. Pæduceus, Q. Considius, and Q. Junius, to be rejected, he said he had done so because he knew that they were too independent and opinionated in forming their decisions. Consequently, when the judges had been objected to, I hoped that my task was one that you shared with me; I thought that my good faith and diligence met with the approval, not only of my acquaintances, but also of strangers. In this I was not mistaken. For when my election took place, when that man was practising unlimited bribery against me, the Roman people decided that his money, which, as far as I was concerned, was powerless when opposed to my honesty, ought in his case to have no damaging influence on my election. On the very day on which, O judges, you took your seats to try this criminal, what man was such an enemy to your order, so desirous of political change, of new tribunals and new judges, as not to be moved when looking on you and your assembly? When, on that occasion, your dignity brought me that reward of diligence, that in the same hour on which I commenced speaking, I attained this advantage, I cut off from that audacious purse-proud, lavish and ruined criminal all

hopes of being able to bribe his judges. On the very first day, after calling up so great a crowd of witnesses, the sentence of the Roman people was that if such a man were acquitted, the republic must cease to exist; the second day deprived the friends and defenders of the fellow, not only of all hope of victory, but of all inclination to defend him; the third day so completely prostrated the creature that, pretending illness, he meditated not what reply he could make, but how he could escape from making any reply at all; then, on the following days, he was so overwhelmed and crushed by these charges and witnesses from the city and provinces, that, after the interval caused by public games, no one believed that he had obtained an adjournment, but that he had been found guilty.

VIII. Consequently, O judges, as far as I was concerned, I was successful; I sought not the spoils of C. Verres, but the good opinion of the Roman people. It was my task to take up the accusation on good grounds. What cause has ever been more honourable than for a man to be appointed and selected by a province so illustrious as its champion, than to be employed in the service of the state; what, I ask, could be more honourable to the state than, at a time when courts were in such disrepute, to bring up for trial a person by whose conviction the senate might be thoroughly reinstated in the good opinion and support of the Roman people; to prove and to convince all men that a guilty man was brought before the court? In the whole Roman nation, what man is there who did not carry away this impression from the first pleading, that if all the crimes, thefts, and scandalous deeds of all previously-convicted criminals could be got together in one place, they could scarcely be put on a level or be compared with a small portion of this man's career? Do you, O judges, take such precautionary measures and plans as are consistent with your own fame, reputation, and safety. Your high position is a special reason why you cannot take wrong steps without exceeding damage and peril to the state. The Roman people can never hope that there are other men in the senate who can judge rightly if you cannot. If they despair of the whole senatorial body, they must look out for another class of

men and another judicial system. If, viewed in this way, it seems to you to be but a trifling matter, because you think the task of judging an onerous and troublesome one, I need not tell you, in the first place, that it makes a great difference whether you lay the burden down of your own accord, or, because you have shown yourselves incapable of proving your good faith and sense of religion to the Roman people, have the power of judging wrested from you on that account. In the second place, bear this also in mind, how great the peril will be for us if we are destined to have for judges those men to whom, in their hatred of us, the Roman people contemplated giving the power of pronouncing judgment on us. But, O judges, I must tell you what my convictions on this point are : be assured, then, that there are some men possessed by such an intense hatred of yourselves that they openly and repeatedly declare that they are quite willing for this man, about whose guilt they have no doubt, to be acquitted, and for this one reason, that the senate may ignominiously and disgracefully lose all judicial powers. No fears of mine with regard to your honesty, O judges, have induced me to urge these points at some length, but their newly-entertained hopes ; for these hopes unexpectedly brought Verres back, actually from the city gates, to stand his trial ; and it was the impression of many that he had good reasons for this sudden change of plans.

IX. Now, in order that Hortensius may not be able to adopt a novel species of complaint, and assert that an accused person concerning whom the prosecutor says nothing is a ruined man, that nothing is so prejudicial to the interests of innocent men as the silence of their foes ; and lest he should praise my abilities in a way that I should hardly like, by saying that if I had uttered a long oration I should have served the man against whom I was pleading, whilst I had ruined his cause by my silence, I will humour him, and deliver a continuous lengthy oration ; not because it is really necessary, but to put the matter to proof, to find out whether he is more aggrieved by my previous silence, or by my present speaking. At this point, perhaps, you will be carefully on the watch to see that I remit not a single hour from all those that the law assigns me. If I do not fully

use up all the time allowed me by law, you shall lodge a complaint; you shall appeal to the faith of gods and men, calling them to witness the prejudice done to Verres by the accuser's refusal to speak as long as he is permitted. Shall I not be allowed to forbear availing myself of all that the law accords in the conduct of my cause? Full time for making my accusation is allowed me, that I may in my address fully explain my charges and case; if I do not avail myself of it, I do you no wrong, but forfeit somewhat of my privilege and advantage. 'Yes, you do; for it is,' says he, 'necessary for the case to be investigated.' True so far as this, that the accused, though a guilty man, cannot be condemned without investigation; tell me, then, do you make it a ground of complaint that I have done something which might stand in the way of this man's condemnation? By the investigation of a case many may obtain acquittal; but no man can be condemned if his case is not investigated. I deprive him, I suppose, of the adjournment of his case to the third day. This, the most vexatious thing found in the law, the right to plead twice, was instituted rather more for my sake than yours; or, at all events, for yours no more than for mine. For if there is any real advantage in pleading twice, the advantage is shared by both. If it is necessary that the last speaker should be refuted, the privilege of a second pleading has been conceded for the benefit of the accuser. I believe it was Glaucia who first proposed the law, to the effect that the defendant should have an adjournment; previously, judgment could either be given at once, or the decision might be deferred. Which do you consider the better law? The old one, I fancy, by which a person might be speedily acquitted or tardily condemned. I restore to you the Acilian law, in accordance with which many men were condemned after one accusation, one pleading, and one production of witnesses, on charges by no means so clear or so heinous as those on which you will be convicted. Fancy that you are pleading your cause not according to that stern law, but according to the other most merciful statute. I will accuse, you shall reply; by the production of witnesses I will bring the whole matter before the court in such a way that even though the law permitted an adjournment, your judges

would think it most disgraceful not to give judgment at once.

X. But if the case requires thorough investigation, let me ask, has it been insufficiently looked into? We are keeping something back, Hortensius, an artifice which we have often practised in pleading. Who pays particular attention to us advocates in an action of this kind, in which something is alleged to have been forcibly seized or carried off from anyone? Are not the judges always on the look-out for documents or witnesses. I said in my first pleading that I would make it plain that C. Verres had illegally carried off four hundred thousand sesterces. Would my pleadings have been any clearer if I had told the tale thus? There was a certain man named Dio, of Halesus, who, when a great inheritance had been left to his son, during the prætorship of Sacerdos, had at that time no trouble or controversy about it. Verres immediately on his arrival in the province at once despatched letters from Messana; he summoned Dio, he suborned fraudulent witnesses from his own bosom friends instructed to assert that the inheritance was forfeited to Venus Erycina, declaring that he intended to attend personally to the matter. I can lay the whole business before you in full detail, and give you its final issue, namely, that Dio had to pay and did pay a million sesterces in order to win a cause which it ought to have been impossible to lose; and besides this, that Verres caused his herds of mares to be driven away, and all his plate and bed-furniture carried off. But our speeches would not be of any great importance, either whilst I was recounting these doings, or whilst you tried to refute them. Pray, when would the judge prick up his ears and give earnest attention? Why, when Dio himself came forward, and all the rest of the men who had been engaged at that time in Sicily in Dio's interests; when, just at the time when Dio was pleading his cause, he was shown to have borrowed money, to have got in his debts, to have sold farms; when the accounts of reliable men were produced; when those who had supplied Dio with money said, that even at that time they had heard it said, that the money was being collected in order that it might be handed over to Verres—when the friends, personal and hereditary, and patrons of Dio asserted

that they had all heard the same thing—I imagine that when this was done, you would give the matter a most careful hearing; and so you did. The case would then seem to be really going on. In the former pleading everything was managed by me in such a way that in the number of all the charges there was not a single one in respect of which any one of you desired a full and lengthy statement; I assert that nothing was stated by witnesses which was either obscure to any one of you, or required oratorical eloquence to embellish it.

XI. Surely you bear in mind that I treated the matter in the following way: that when I had to examine witnesses, I laid before you and explained all the charges first; and when I had clearly stated the whole of the case, I proceeded at once to examine the witness. Consequently, not only you, who have the task of judging, are in possession of our charges, but the Roman people also have received information about the whole accusation and the whole case. And yet I am speaking about my own conduct, exactly as if I had done all that I have done at the instigation of my own will rather than as prompted by your injustice. You interposed a prosecutor who, when I had requested an interval of only one hundred and ten days in order to visit Sicily, demanded a hundred and eight in order to go to Achaia. When you had forcibly taken away from me the three months that were most suitable for the conduct of my suit, you fancied that I should place the rest of the year at your disposal, so that when I had used up the time allowed me, you, Hortensius, after the interruptions caused by two festivals, might, forty days later, give your reply; and subsequently the time might be spun out to such a length, that we might get away from M. Glabrius, the prætor, and the greater part of these judges, to some other prætor and some other judges. Unless I had foreseen this, if everybody, acquaintances and strangers, had not cautioned me beforehand that all their doings, plans, and exertions had but one object, namely, to get the business put off to the above-mentioned period, I fancy that if I had chosen to spend all the time allowed me in making my accusation, I should have reasons to fear that I might find myself falling short of charges to bring, that my speech might break down for want of matter, that

my voice and strength might give way, that I should be unable to impeach twice a man whom no one had ventured to defend on the first hearing of the case. I proved the reasonableness of my determination both to the judges and also to the Roman people. There is not a soul who believes that anyone could have thwarted by any other means the injustice of your supporters. How foolish I should have been if, when the men, who undertook to save Verres, contemplated a particular day in the terms of their undertaking (in cautione), the terms being 'provided the judices should not give their verdict until after the first of January'—how foolish I should have been to stumble on that very date when it was in my power to avoid it! Now, I must keep careful account of all the time allowed me for my speech, as it is my intention to state the whole case at length.

XII. I will forbear, then, all mention of that first act of his life, most infamous and wicked though it was. He shall hear from me no account of the infamies and offences of his boyhood, nothing of his polluted youth. How he spent it you surely recollect, or can at all events recognise it in the son, whom he has brought into court, so like himself. I will pass over everything that is too vile to be described, and will consider not only what the fellow ought to hear, but also what is decent for me to say. I pray you grant me this; make this concession to my modesty; allow me to suppress some portion of this man's shamelessness. As far as I am concerned, let him have all that period that passed before he entered into office and the service of the state free and unnoticed. Let silence be observed on the subject of his nocturnal orgies and revels. No mention is to be made of his pimps, dicers, and panders; let the losses and the dishonour done his father's estate and to that period of his own life be passed over unnoticed; let him have the benefit of all the evidence of his old infamy (*i.e.*, let nothing be said about it); let the latter portion of his life justify me in making this vast sacrifice of charges (that I forbear to press). Fourteen years ago you were quæstor to Cnæus Papirius, the consul. I bring before this court all that you have done from that date up to the present hour. Not a single hour will be found free from theft, guilt, cruelty, and crime. These years were

passed by you, in the quæstorship, in your lieutenancy in Asia, in your city prætorship, and in your Sicilian prætorship. Consequently, my impeachment will be arranged under four heads.

XIII. As quæstor, by a decree of the senate, you obtained your province by lot ; a consular province fell to you, so that you were associated with Cn. Carbo, the consul, and held that province. That was a period of civil dissension ;* I do not intend to say anything as to what your sentiments ought to have been ; I will confine myself to one observation, that you at such a period and posture of affairs ought to have decided which side you would adopt and support. Carbo was displeased to find that a quæstor had been assigned to him by lot notorious for luxury and indolence ; in spite of this he bestowed on him all sorts of kindness. Not to take up your time unnecessarily, money was drawn from the treasury, was paid over. As quæstor he started for his province, taking with him the money. He went into Gaul, where he had been long expected, to join the consular army. As soon as an opportunity presented itself, mark, I pray you, the way in which he began to perform the duties of the office and manage the affairs of the state. After embezzling the public money, our quæstor deserted his consul, army, his lot, and his province. I see the result of this plea : he rouses himself, he hopes that in this particular charge some favouring breeze of goodwill and approbation may be wafted towards him from those to whom the name of Carbo, dead though he be, is odious, to whom he hopes that his abandonment and betrayal of the consul will prove agreeable. As if, forsooth, he had acted so from any eagerness to support the nobility, or from a desire to serve his faction, and had not openly robbed the consul, army, and province, and then run away on account of a most shameless theft. For the motives of such conduct are obscure, and are such they might raise a suspicion that Caius Verres, unable to put up with new men, went over to the nobility—I mean to his own party—and really did nothing at all for a money consideration.† Let us see how he gave in his accounts. He is going now

* The civil war between Sulla and Marius.

† Cicero is here speaking ironically.

to show us why he abandoned Cn. Carbo ; he is going to reveal himself to us.

XIV. First of all, notice the brevity of these accounts. 'I received,' says he, 'two million two hundred and thirty-five thousand four hundred and seventeen sesterces. I paid away for soldiers' pay, corn, to the lieutenants, the pro-quæstor, the prætorian cohort, sixteen hundred and thirty-five thousand four hundred and seventeen sesterces. I left behind at Ariminum six hundred thousand.' Is this the way to give in accounts? Have either I, or you, Hortensius, or has any other man, ever given in accounts in this fashion? What is the meaning of this? What impudence! what audacity! What precedent is there for conduct like this in all the accounts that have ever been rendered by all our state officers? And yet, as regards the six hundred thousand sesterces for which he could not make up some lying account of their disposal, which he said he had left at Ariminum, this balance of six hundred thousand sesterces Carbo never touched, Sylla never got sight of it, nor was it ever paid into the treasury. He chose Ariminum as his town, because it had been captured and sacked at the time of his rendering his accounts. He had no suspicion of a fact of which he will soon become aware, that quite enough citizens survived the downfall of Ariminum to serve as witnesses on that particular affair. Read once again: 'Items of accounts as rendered to Publius Lentulus, Lucius Triarius, quæstors of the city.' Read also: 'According to the decree of the senate.' In order that he might have the privilege of giving in his accounts in this style, he became in a moment one of Sulla's party, but not for the purpose of restoring office and dignity to the nobles. If you had been empty-handed when you deserted, even then your flight would have been a crime, and your treason to your consul infamous. But, say you, Cnæus Carbo was a bad citizen, a dishonest consul, a seditious person. Perhaps so with others. When did he first show himself such to you? Why, as soon as he entrusted to you the money, the supplying of corn, the keeping of all the accounts, and the army. If he had fallen under your displeasure at an earlier date, you could then have acted as Piso did a year later. When he had been assigned by lot as quæstor

to L. Scipio, he never touched the money, he never started to join the army. Whatever his sentiments were on state matters, he maintained them in such a way as not to violate his own good faith, the principles of his ancestors, or the obligations imposed by lot.

XV. For if we wish to overthrow all these things and throw them into confusion, we shall fill all our lives with peril, treachery, and enmity; our lot is to be devoid of all religious obligation, if participation in good fortune and bad gives rise to no real union, if the principles and institutions of our ancestors are to have no weight. He who has once been the public enemy of his own party is the common enemy of all. No wise man has ever thought that a traitor deserves trust. Even Sulla, who ought to have been excessively gratified by the advent of this person, removed the fellow from his person and army. He bade him stay at Beneventum with those whom he knew to be most firmly attached to his side, to prevent him from doing damage to the cause and its main issue. After all, he paid him very handsomely; he allowed him to plunder the property of several proscribed victims in Beneventum; he treated him with the respect due to a traitor, but never trusted him as a friend. Although at the present time there are many who hate the dead Cn. Carbo, still, these men ought to bear in mind, not that which they were glad to have happen to him, but what they would have to apprehend under similar circumstances. This is a danger shared by all, a common cause of alarm, a common peril. No snares are so difficult to detect as those that lie concealed under the mask of duty, or the pretext of close friendship. You can easily get out of the way of the man who is your open enemy, but this concealed intestine and domestic evil not only shows itself, but actually crushes you before you can foresee and detect it. Is it not so? To think that you, when you were sent away to join the army as its quæstor; when you were the guardian not only of the money, but also of the person of the consul, who had a share in all matters and in all plans; that you, who were treated as one of his own children, as the custom of our ancestors warranted—to think, I say, that you should suddenly leave him, desert him, go over to the side of the enemy! O guilt! O monster, who ought to be banished

to the end of the world ! A nature capable of such a deed cannot be contented with this single crime ; it must of necessity scheme something of the same kind ; it must busy itself in the exercise of similar audacity and perfidy. Consequently, we shall find that this same fellow whom Dolabella had had as deputy-quæstor, after the death of C. Malleolus—perhaps this connection was even a closer one than that with Cn. Carbo, and voluntary selection may have more weight than the result of casting lots—behaved exactly in the same way to Cn. Dolabella that he had to Cn. Carbo. For he brought against him the charges which properly affected himself, and became informer against him to his opponents and enemies ; he was the man who gave most hostile and dishonest evidence against the man under whom he served as legatus and quæstor. Dolabella, though much to be pitied as the victim of treason so heinous, and of such dishonest and false evidence, received still more scathing damage from the odium which resulted from the imputation of this fellow's thefts and outrages.

XVI. What can you do with such a fellow ? What can you hope for with an animal so treacherous, so dangerous ?—a creature who disregarded and violated his association by lot with Cn. Carbo, by personal choice with Cn. Dolabella, who not only deserted both of them, but actually betrayed and assailed them. Do not, I pray you, O Judges, weigh these charges of mine by the brevity of my speech rather than by the actual enormity of the facts. I must lose no time, in order that I may duly set before you all that I have determined to relate. Having, therefore, fully described his quæstorship, the dishonesty and guilt of his first state employment having been made plain to you, listen, I pray you, to all that follows. In making this statement, I shall pass by the period marked by the proscriptions and the rapine of Sulla. Nor shall I allow him to draw any plea from the consideration of a calamity common to all. I shall accuse him on charges well proved and peculiar to himself. So, discarding all mention of Sulla's times from my impeachment, pay heed to his very remarkable lieutenancy.

XVII. As soon as Cilicia was fixed on as Dolabella's

province, O immortal gods ! with what eagerness, with what assiduous applications he succeeded in forcing the lieutenantancy from Dolabella, which was indeed the beginning of all Dolabella's troubles ! From the moment of his departure, in whatever direction he moved, he seemed to advance, not as the legatus of the Roman people, but as a calamity to the country. In Achaia I will pass by all minor matters ; some persons at some time or other perhaps, have been guilty of similar crimes. I will mention nothing but what is singular in its character, nothing but what would seem incredible if alleged of any other criminal. He demanded money of a Sicyonian magistrate. Let not this be brought as a charge against Verres ; other men have done the same thing. Because he did not pay, he punished him. A shameful fact, but we have heard of similar doings. Notice the form of the punishment : you will ask to what race we are to consider this creature belongs. He ordered a fire to be lighted, in a confined space, of green and wet wood. There he left a free-born man, a nobleman in his own country, the ally and friend of the Roman people, tortured by smoke till he was half dead. At this point I will not recount what statues, what pictures, he carried off from Achaia. I have reserved a distinct part of my speech for illustrating this particular form of robbery. You heard it stated that at Athens a great quantity of gold was removed from the temple of Minerva. This was mentioned in Dolabella's trial. Mentioned, its value also was given. You will find that Verres was not a mere sharer in this deed, but actually its originator. I visited Delos. There he secretly, in the night time, carried off from Apollo's shrine certain most beautiful and ancient images, and superintended their embarkation in one of his own merchant vessels. Next day, when the men of Delos saw their plundered shrine, they were most indignant, for the sacred character and antiquity of that shrine is so deeply impressed on their minds that they even believe that Apollo was born on that spot. Still they dared not utter a single word, for fear that Dolabella might be concerned in the matter.

XVIII. Then suddenly very rough weather came on, so violent that not only Dolabella was unable to take his departure when he wished to do so, but could scarcely

and standing ground in the town, such great waves were hrown up. Here that pirate's ship, laden with consecrated images, cast up and forced ashore by the waves, is utterly wrecked. Those statues of Apollo were found on the shore ; they were replaced by Dolabella's orders ; the storm is calmed, and Dolabella quits Delos. I do not doubt, although you never have shown any sense of your duty to man, though you never had any regard for religion, that in the hour of fear and peril you must call to mind your crimes. Can any comfortable hope of safety suggest itself to you when you remember how impious, how guilty, how profane you have been towards the immortal gods ? Did you dare to rob the Delian Apollo ? Are you the man that attempted to lay impious and sacrilegious hands on a temple so ancient, so holy, so sacred as that ? If in your childhood you had not the advantage of an education and training that would enable you to read and understand matters committed to writing, could you not, later on, on visiting the actual scene, have heard the story that has been handed down by tradition, and also by writing, how Latona, after long wandering and flight, destined very soon to become a mother, sought refuge in Delos, and there gave birth to Apollo and Diana ? It was owing to this belief that the island is considered sacred to those deities. The influence of this belief not only is so great, but has ever been so great that not even the Persians, when they had proclaimed war against all Greece, on gods and men, and had put in at Delos with a fleet of a thousand ships, attempted to violate or lay hands on anything. Did you, O most dishonest, most insane of men, have the audacity to strip this shrine ? Has ever avarice existed so excessive as to efface all respect for sanctity ? If these were not your thoughts at the time, does it not now occur to you that there is no possible evil so great that it has not been long due to you as the punishment of your guilt ?

XIX. When he had reached Asia, what occasion is there for me to describe the luncheons, dinners, horses, gifts, that attended his arrival ? I am not going to enter into any pleading with Verres about his every-day crimes. I merely mention that he carried off some very beautiful statues from Chios ; also from Erythræ and from Hali-carnassus. From Tenedos, I pass by the money that he

seized. He carried even the image of Tenes, who is considered amongst the people of Tenedos as the most sacred of all gods. He is said to have founded their city; it gets its name of Tenedos from him. Yes, he carried off an image of this Tenes, most beautifully wrought, which you saw lately in the comitium, to the great grief of the whole state. Then, too, his taking by storm of that most ancient and famous temple of the Samian Juno, how grievous it was to all Asia, how notorious to all men! There is no one amongst you who has not heard of it. When ambassadors went from Samos to complain about this deed of violence, to Asia to C. Nero, they received for their answer that complaint of this nature which concerned a legatus of the Roman people ought to be carried to Rome, and not laid before the prætor. What pictures, what statues, he carried away from that place! I recognised them myself in his house, in his chambers, not long ago, when I went thither for the purpose of sealing them up. Where are those statues now, Verres? I am asking you about those that I saw a little while ago against every column, also in all the spaces between the columns, erected also in the grove in the open air. Why did they remain in your house as long as you believed that a different prætor and different judges, whom you had a mind to select in the place of those now present in court, were to sit in judgment on you? But when you saw that we preferred using our own witnesses to the adoption of your time and seasons, you did not leave a single statue in your house, except two which are in the middle of it, and these, too, were stolen from Samos. You did not expect that I was going to give notice to your intimate friend to appear as witnesses, for the purpose of asking the whether they knew that certain statues had been the which were not there at the time of my putting the question.

XX. What did you think the sentence of these men would be when they saw that by this time you were extending, not with your prosecutor, but with the quaestor and appraiser?* In our former pleadings you heard

* Those whose business it was to do execution by taking goods and selling them—the quaestor urbanus and the sector. The sector bought such property as was seized by the state.

Charidemus give evidence on this point; that when attending Verres on his departure from Asia, as the commander of a trireme, he was in his (Verres's) company at Samos by Dolabella's orders. He knew that the shrine of Juno and the town of Samos had been plundered. Later on he had been put on his trial before the Chians, the Samians being the prosecutors; that he owed his acquittal to the fact that he had clearly proved that the charges brought by the Samii concerned, not himself, but Verres. You are aware that there is a famous old town in Pamphylia, called Aspendus, replete with first-class statues. I am not going to tell you that one or two statues were carried away; I maintain, O Verres, that you did not leave a single statue behind you in Aspendus, that all of them were carted and carried away from the temples and all public places in broad daylight, in sight of all men present. He even took away with him, and placed in his own mansion, the famous Harper of Aspendus, concerning which you all have heard the saying that has long passed into a proverb with the Greeks, that he seemed to be always singing to himself. We know that there is at Perga a very ancient and sacred grove belonging to Diana. I say that that, too, was stripped and spoiled by you, and also that all the gold was tripped off and carried away that was on the statue of Diana. Good heavens! what is the meaning of all this unconsummate audacity and madness? These cities belonging to our allies and friends, which you visited in the capacity and name of legatus, if you had forcibly attacked them with an army as its commander, still, my belief is, that whatever statues and ornaments were carried away from them, you ought to have conveyed them, not to your own house or the suburban residences of your friends, but to Rome, as the property of the state.

XXI. What occasion is there for me to speak of M. Marcellus, the captor of that highly-decorated city, Syracuse? or of L. Scipio, who waged war in Asia, and conquered that powerful monarch, Antiochus? or of T. Flaminius, who conquered King Philip and Macedonia? or L. Paulus, who by his might and valour overcame King Perses? of Lucius Mummius, who overthrew a most beautiful and well-adorned city, Corinth, filled with

stones of all kinds, who added many cities of Achaia and Boeotia to the empire and dominion of the Roman people? Though their houses were ennobled by honour and virtue, they were devoid of statues and pictures. But we see all Rome, the temples of the gods, and all parts of Italy embellished by their gifts and memorials. To some of you I fear all this may appear too remote and obsolete, for at that time all men were so uniformly of this character that this compliment paid to distinguished excellence and honesty seems to attach itself not merely to individuals, but to the period. Well, we have here before us P. Servilius, a most illustrious personage, a man of famous deeds—he is to give judgment on you. He took Olympus by storm, by means of the troops he commanded, by his prudence and valour—an ancient city, wealthy, and handsomely adorned. After that you, in your capacity as quæstorian legatus, in the same district, had busied yourself in plundering and oppressing the unoffending towns of our allies and friends. But as for you—all that you have swept away by crime and violence from most sacred shrines—I assert that these are nowhere to be seen except in houses belonging to yourself and your friends; whilst, on the other hand, all the statues and ornaments that were won by might and valour, carried off by the rights of war and of military command, these Servilius brought as an offering to the people of Rome, exhibited in triumphal procession, and had carefully entered in the public records and in the treasury. Read and infer from public documents the careful attention of this most honourable man. Read: ‘Accounts given in by P. Servilius.’ You have there before your eyes not only the number of the statues, but the size, figure, and condition of each plainly stated in words. Truly the charm of valour and victory is greater than all the pleasure that you have reaped from guilty passion and avarice. I assert that Servilius showed much more diligence in entering and describing the booty of the Roman people than you did in the case of your thefts and robberies.

XXII. You will say, perhaps, that your statues and paintings have figured as ornaments to the city and forum of the Roman people. I recollect. I saw, the Roman people also saw, the forum and comitium deco-

rated with them, a decoration magnificent in appearance, but bitter and a source of sorrow to one's senses and thoughts. I saw everything resplendent with your thefts, with plunder taken from the provinces, with the spoils of allies and friends. This was the occasion, O Judges, on which this fellow conceived high hopes of committing further crimes. For he perceived that these men who sought to be named the masters of the law-courts were the slaves of their vile passions. It was then that allies and foreign nations first abandoned all hope of saving their property and fortunes, for it happened that at that time there were many ambassadors from Asia and Achaia at Rome, who in our forum were worshipping the images of the gods which had been removed from their temples, and with tears were gazing, some here, some there, on other statues and ornaments as from time to time they recognised them. This was the purport of all their conversation—that no one could have any reasonable doubts of the approaching ruin of allies and friends when they actually saw, in the forum of Rome, the place where, in times gone by, those who had done wrong to her allies were wont to be accused and condemned—a public display of the objects that had been nefariously carried off and stolen. Here I do not suppose he will deny the possession of many statues, of countless pictures; but I believe he is in the habit at times of saying that he purchased all these things that he stole and helped himself to, on the ground that he actually was once sent to Achaia, Asia, and Pamphylia, at public expense, in the character of a legatus, as purchaser of statues and pictures.

XXIII. I have all the fellow's accounts, and those of his father, of cash received, and I have carefully read and arranged them; your father's accounts, up to the date of his death; and your own as far as you admit that you kept them. You will find a circumstance quite new in the case of this man. We hear of one man, that he never kept accounts at all; this is the opinion of many men about Antonius, but a mistaken one; in fact, he kept his accounts most carefully. Though there are such men, they are by no means worthy of approval. We hear that some men began by not keeping any accounts, but after some time did so; it is quite possible

to account for this. But this is a novel and ridiculous fact, which this man stated in his reply when we demanded his accounts : ' he had kept his accounts up to the consulship of M. Terentius and C. Cassius ; after that he had discontinued keeping them.' Later on we will comment on the nature of this reply ; at present I have nothing to do with it ; for as regards the particular periods in question, I have both yours and your father's accounts. You cannot deny that you conveyed away very many most beautiful statues and many admirable paintings ; and I wish you would deny the charge. Point out in your accounts or in those of your father an entry of the purchase of only one, and you win your case. You have not even the means of proving that you purchased those two most beautiful statues which are now standing by your impluvium, which for many years stood by the folding-doors of the Samian Juno ; I mean the only statues now remaining on your premises, awaiting the appraiser, left alone and deserted by the other statues.

XXIV. Perhaps it was only in matters of this kind that he exhibited his irrepressible and unbridled passions, and other vicious propensities were kept under restraint by some degree of reason and moderation. How many ladies of good family, how many matrons think you were the victims of this man's violence during that foul and polluted legatio ? In what town did he ever set foot that he did not leave there behind him more traces of lustful violence and outrage than he did of his arrival ? I will pass over everything that can be met by mere denial ; I will not describe even those facts that are most certain and evident ; I will select one only of his nefarious deeds, in order that I may more speedily get to the topic of Sicily, which province has imposed upon me this burden and business. There is a town on the Hellespont, O Judges, called Lampsacus, of high position and renown amongst the towns of Asia. The inhabitants of Lampsacus are particularly noted for their courtesy towards Roman citizens, and are a very quiet and orderly race, inclined, perhaps, more than other Greeks to a life of perfect repose rather than to disorder or tumult. It came to pass, when Verres had persuaded Cn. Dolabella to send him to King Nicomedes and to King Sadala—in

fact, he had begged for the appointment as conducive rather to his own gain than in the interest of the state—it came to pass, I say, that on the way he arrived at Lampsacus, to the great misfortune, almost to the ruin, of the city. He is escorted to the house of a man named Janitor, his appointed host ; his companions were billeted on other hosts. As the fellow's custom was, and as his lawless passions always spurred him on to the commission of some crime, he immediately employs his companions, the vilest and basest of men, to inquire and ascertain whether there is any girl or woman in the town attractive enough to make it worth while staying longer in Lampsacus for her sake.

XXV. He had an agent, a fellow called Rubrius, a man quite *au fait* in such work, who, with wonderful address, used on his arrival at any place to manage such investigations. He soon reported to his employer that there was a certain Philodamus, a quite leading man amongst the men of Lampsacus, on the score of birth, office, wealth, and public esteem ; that his daughter, who, being still unmarried, resided with her father, was a woman of surpassing beauty ; more than this, she had a high reputation for unblemished reputation and chastity. The fellow, hearing this, was so inflamed with desire for that which he himself not only had never seen, but had not even heard described by an eye-witness, that he said at once that he must move to the house of Philodamus. His host Janitor, having no suspicions at all, fearing that he had unwittingly given some offence, did his best to persuade him to stay. Verres then, unable to frame any excuse for quitting his host, began to clear a way for his meditated crime by other means. He asserts that Rubrius, his prime favourite, is not in comfortable lodgings, and orders him to be lodged at Philodamus's house. When notice of this was sent to Philodamus, though he had no apprehension of the mischief that was being hatched against himself and family, he called on Verres ; he points out that it was not his place (to receive Rubrius) ; that when it was his turn to receive state guests he was wont to have prætors and consuls in his house, and not a lieutenant's hangers-on. Verres, however, who listened only to his own vile passions, paid not the slightest regards to his remonstrances and pleas ;

he caused Rubrius to be forcibly introduced into the house of a man who was not bound to admit him.

XXVI. Upon this Philodamus, unable to maintain his rights, did his best to observe his usual courtesy. The man who had always had a high character for hospitality and friendliness to our countrymen was loath to let Rubrius see that he had unwillingly admitted him into his house. He prepares an entertainment in magnificent and luxurious style, as he was one of the richest of his brother citizens; he begs Rubrius to invite as many as should seem fit, to leave, if it pleased him, room for himself, the host. He even sends out his own son, a youth of high character, to dine with a relation. Rubrius invites Verres's associates. Verres tells all of them what his intentions are. They arrive early; they sit down to supper. Conversation goes on, and invitation is made to drink in Greek style. Their host gives due encouragement; they call for wine in larger cups; the feast goes on, all the guests talking and enjoying themselves without restraint. When to Rubrius matters seemed forward enough, he said, 'Tell me, Philodamus, why you do not bid your daughter to be called into our company?' The father, who was a man of great gravity, suitable to his mature years and position as a parent, was amazed at the scoundrel's speech. Rubrius persisted. Then, in order to give some kind of answer, he told him that it was not in accordance with Greek customs for females to be present at men's banquets. Thereupon another from another part of the room exclaimed, 'This is intolerable; let the woman be called in.' At the same time Rubrius orders his slaves to close the outside gate and stand by the doors. When Philodamus saw that their intention was to do violence to his child, he summons his slaves, bids them to pay no attention to himself, but defend his daughter. Someone was to run out and warn his son of the calamity that threatened his family. In the meantime an uproar arises between the slaves of Rubrius and his host. That noble and honourable man is roughly handled in his own house; every man has to defend himself. At last Philodamus was drenched with a quantity of hot water, thrown over him by Rubrius himself. When the son heard of these goings on, half dead with fright he hastens home at once to save the life of his

father and the honour of his sister. Moved by similar motives, all the citizens of Lampsacus, the moment they heard the news, for the high moral character of Philodamus and the enormity of the outrage roused them, assembled in the course of the night at his house. Upon this Verres's lictor, Cornelius, who had been planted as sentinel by Rubrius with his slaves for the purpose of carrying off the woman, is slain, some of the slaves are wounded, and Rubrius himself received a wound in the crowd. As for Verres himself, when he saw what a disturbance he raised in seeking to gratify his vile desires, he began to wish to find some way or other of getting out of it.

XXVII. The men of Lampsacus next morning held a meeting at an early hour; they ask what is best to be done; every man gave his own sentiments to the people, according as each speaker had most personal influence. No man was found whose sentiments and language were not to this effect: 'There was no occasion to fear that, in case the men of Lampsacus punished the man's atrocious guilt by force and by the sword, the Roman senate and people would think that any punishment ought in consequence to be inflicted on their city; and if legati of the Roman people were to have this privilege towards allies and foreign nations, that none should be allowed to protect the honour of their children from the lustful violence of legati, it would be better to submit to any hardship than live a life exposed to such violence and bitterness.' As all agreed to this, as everyone spoke to this effect, as each was prompted by his feelings and wrongs, they proceeded in a body towards the house where Verres was lodged. They commenced beating in the door with stones, to assail it with weapons, to place fuel and brushwood around it, and to apply fire. Then some Roman citizens trading at Lampsacus ran up; they beg the men of Lampsacus to let the title of legatus have more weight than the misconduct of a legatus; as he had not accomplished his wicked designs, and was not going to stay any longer at Lampsacus, they would be doing less wrong in sparing a wicked man than in not sparing a legatus. In this way this man, a much greater scoundrel than the notorious Hadrianus, was much more fortunate. He was burnt up alive in his own house at Utica; he was

so thoroughly believed to have received his deserts that all rejoiced, and no punishment ensued. This man, only scorched by the flames of our allies, escaped from the peril of those flames, nor as yet has he been able to conceive what he had done or how it had happened that he found himself in so great danger. He cannot say: 'When I was trying to quell a riot, when I was ordering a contribution of corn, when I was collecting soldiers' pay, when, in fact, I was doing business in the service of the state; because I gave my orders too severely, because I punished somebody, because I uttered threats, all this took place.' Even supposing he did say this, still he deserves no indulgence, even if he appear to have incurred so great peril by too strict exercise of authority.

XXVIII. Now, as the man himself dares neither bring forward the real reason of this tumult, nor even invent a false one; whilst a man, the most temperate of his class, who was at that time Nero's summoning officer, T. Tettius, has given evidence that he became acquainted with all those facts at Lampsacus; whilst Caius Varro, a man of excellent qualities, who was then in Asia serving as military tribune, asserts that he heard the same account from Philodamus; can you have any doubts that fortune was not so willing to save him from this danger as to reserve him for your sentence? That is, if he is not going to say what Hortensius said, interrupting Tettius, as he was giving evidence in the first pleading—on which occasion he made it very clear that, if there were anything that could be said, he could not keep it back; so that, if he was silent, whilst other witnesses gave evidence, we can have no doubt that he had nothing to urge in his defence. Well, at that time this is what he said: Philodamus and his son were condemned by C. Nero. On this point, to avoid making a long speech, I will say no more than this, that Nero and his brother judges kept one fact in view, viz., that there was no doubt that Cornelius, his lictor, had been slain; and they thought that it was wrong that a man, even to avenge a wrong, should have power to kill a man. In this particular, I see that by Nero's sentence you are not acquitted of gross immorality, but merely that they were found guilty of murder. After all, what

kind of a conviction was it? Listen, O judges, and for once pity our allies and prove that they ought to find some safeguard in your protection.

XXIX. Because the man, who nominally licitor, but in reality the creature and agent of this fellow's guilty passions, appeared to all Asia to have been lawfully slain, Verres was afraid that Philodamus would be acquitted by the sentence of Nero; he begs and prays Dolabella to quit his province and go to Nero; he proves that he (Verres) cannot be safe if Philodamus was allowed to live and at any time go to Rome. Dolabella was alarmed; he did a thing which has been censured by many, by leaving his army, his province, the seat of war, by proceeding to Asia, for the sake of a consummate scoundrel, to another man's province. As soon as he reached Nero, he pressed him at once to take cognisance of the case of Philodamus. He was here in person to be one of the judges, and to be the first called on to give his opinion on the case; he had brought with him his own prefects and military tribunes; all these also Nero invited to take part in the trial; Verres especially sat on the bench, that model judge! There were a few Roman citizens (*legati*), creditors of certain Greeks. The support of any *legatus*, however vile he might be, is of the greatest service to such men to enable them to get in their money. The unhappy accused could find no defender. What Roman citizen could be found who was not bound by the influence of Dolabella? What Greek who was not influenced by his office and violent character? A Roman citizen, to whom many of the *Lampsacenes* were indebted, was appointed as prosecutor; and, if he spoke according to Verres's orders, he was to have the privilege of enforcing the payment of moneys due by the aforesaid Verres's *lictors*. As all these measures were conducted with such energy, backed by such resources; as many accused the unhappy man, whilst no one defended him; as Dolabella, with his prefects, was contending against him on the bench; as Verres maintained that his fortunes were at stake; as one and the same man gave evidence, sat on the bench, and supplied the prosecutor; as all this took place, and as it was an undoubted fact that the fellow had been killed: after all, so great was the weight attached to the

injury inflicted by this creature, so heinous seemed his villainy, that an adjournment of Philodamus's case was decreed.

XXX. Why need I now bring forward the arrogance of Cn. Dolabella ? or the tears and runnings to and fro of this man ? or the disposition of C. Nero, a most excellent and honest man, but in some matters too timid and pliant, who in that trial had not the power of doing anything, unless perchance, and it was what all wished him to do, he settled the business himself, without the interference of Verres and Dolabella ? All men would approve of any decision arrived at, as long as these persons had nothing to do with it ; but the sentence pronounced on that occasion was considered not to have been the sentence that Nero would have given, but to have been forced from him by Dolabella. Philodamus and his son are convicted by a very few votes. Dolabella is present ; he urges and insists on as speedy an execution as possible, in order that as few people as possible may hear of the wretch's nefarious villainy. A spectacle sad and painful is exhibited in the market-place of Laodicea : an aged parent led forth to execution ; on the other side a son. One because he had defended the chastity of his child, the other for defending the life of his father and the honour of his sister. Both were weeping, neither on account of his own execution, but the father for the death of the son, the son for that of his father. What floods of tears think you Nero shed ? How intense the mourning and grief of the inhabitants of Lampsacus, that men of stainless character, of high birth, allies and friends of the Roman people, should perish by the hand of the executioner, by the unprecedented wickedness and impious lust of an abandoned villain ! At this moment, O Dolabella, I am unable to feel any compassion either for yourself or your children, whom you in your exile have left behind you in misery and solitude. Was Verres worth so much to you, that you would have the guilt of his lustful passion discharged by the blood of innocent men ? Was this your motive, when you left your army and the foe, to clear away the dangers that beset a scoundrel by abuse of power and by cruelty ? Did you think that you had secured his undying friendship by allowing him to act as your quæstor ? Were you not

aware of the way in which he treated Cn. Carbo (and he was really his quæstor), how he left him in the lurch, robbed of all means of helping himself, stole his money, and treacherously attacked and betrayed him? You had experience of his perfidy when he joined your enemies, when he, a man covered with guilt, gave most damning evidence against you, refusing to submit his accounts to the treasury till you had been convicted.

XXXI. Tell me, Verres, are lusts to be so excessive, that the provinces of the Roman people, that even foreign countries cannot comprise or tolerate them? Unless all you see, hear spoken of, that you set your mind on or fancy, is ready to hand at your beck, are your creatures to be sent to force their way in? Are men's houses to be stormed? Are states, not only those that have been reduced to submission, but those of our allies and friends, to have recourse to violence and arms in order that they may be able to defend themselves and their children from the guilty lustful violence of a legatus appointed by the Roman people? I do not intend to ask you whether you were besieged at Lampsacus, whether the crowd began to set fire to the house in which you were lodging, or whether the Lampsacenes tried to burn alive a legatus of the Roman people. You cannot deny it. I have your own evidence given by yourself before Nero. I have also the letters you sent to Nero. Read this particular passage from the evidence (*the evidence given by Verres against Artemidorus*). Read the passage from Verres's letter to Nero (*from Verres's letters to Nero*) down to 'soon afterwards to my house.' Did the state of Lampsacus ever wish to wage war on the Roman people? Did it ever wish to revolt from our empire and name? For I see, from all that I have read and heard, that in the case of a state in which a legatus of the Roman people, I do not say has been besieged in his lodgings, I do not say has been attacked with fire, with the sword, by violence, by troops; but if he suffers any violence in the least degree, unless that state gives ample satisfaction, that it is the custom of our nation to proclaim and make war on that state. What, then, was the reason why the whole of the state of Lampsacus, after the assembly held, at once rushed in a body against your house? For you neither in your letters to Nero,

nor in your evidence, state any reason at all for so great a riot. You say you were besieged, that fire was employed, that brushwood was heaped all around, that your lictor was murdered, that you were prevented from making any appearance in public, but you suppress and withhold the cause of all this extraordinary terror. If Rubrius had perpetrated any wrong on his own account, and not at your instigation, in order to serve your lusts, they would have come to you to complain of the injury inflicted by your comrade rather than to storm you in your house. As witnesses brought forward by ourselves have stated the cause of the riot, whilst Verres withholds it, is not their evidence, is not this fellow's silence, confirmation strong of the truth of the reason which I have alleged?

XXXII. Are you then, O judges, going to show mercy to this man, whose offences are so rank that the victims of his wrongs found themselves unable to wait for his punishment until the time fixed by the law* should arrive, or to defer the violence of their resentment to some future date? You were besieged. By whom? By men of Lampsacus. They were, I suppose, a lot of barbarians, or, at least, men who despised the name of the Roman people. Not so; but they were by nature and habit and education the mildest of men. More than that, by conviction the allies of the Roman people, by fortune our vassals, by inclination our suppliants; so that it is evident to all, that unless the offensiveness of the attempted wrong had been so great, the enormity of the crime so excessive, they never would have gone to such lengths as to be moved more by their detestation of your lust than by fear of your office as legatus. In the name of the immortal gods, forbear to force our allies and foreign nations to adopt this last resource, but a necessary one, if you do not take the punishment into your own hands. No circumstance could have ever mitigated the feelings of the men of Lampsacus towards the man, if they had felt confident that Rome would exact the penalty due to his crimes. All the injury they had received was one for which no law could give them adequate redress, still they preferred to submit their wrongs

* Verres could not have been tried at Rome until after the expiration of his office.

to our laws and courts rather than to their feelings of resentment. Tell me—do you, after being besieged in a city so well known for crime and vile outrage; after forcing men, worn down by misery and misfortune, who seemed to despair of redress from our laws and courts, to have recourse to arms; after showing yourself in the towns and states of our friends, not in the character of a Roman legatus, but in that of a cruel and oppressive tyrant; after tarnishing the fame of our empire and name by disgraceful crimes; after making your escape from the weapons of the friends of the Roman people, and saving yourself from the flames threatened by allies—tell me, do you imagine that you will find a sanctuary here? You are mistaken. They let you get away alive, that you might fall into our hands here, not to find repose.

XXXIII. Now you affirm that the decision of the court implies that you were wrongfully beset at Lamp-sacus, because Philodamus and his son were condemned. Suppose I prove, make it evident, on the testimony of a very worthless man, I confess, but on this occasion very serviceable—I mean yourself—that you transferred the cause and the blame of this siege to others, and that no punishment was ever inflicted on those whom you accused. The decision of Nero here will avail you little. Read the letters he sent Nero (*the letter of C. Verres to Nero, 'Themistagoras and Thessalus'*). So you write to the effect that Themistagoras and Thessalus excited the populace. What populace? Those who besieged you, who tried to burn you alive? Where do you prosecute them? Where do you charge them? Where do you defend the authority and name of legatus? Will you pretend that that was done in the trial of Philodamus? Hand me the evidence of Verres himself. Let us see what the fellow said on his oath. Read it aloud. 'When the question was asked by the accuser, he answered that in this trial he was not acting as prosecutor, but that he intended to prosecute on another occasion.' How then does Nero's sentence help you? How does the conviction of Philodamus? When you, a legatus, had been besieged, and when, to quote your own letter to Nero, a startling wrong had been inflicted on the Roman people and on all legati as a class, you did not prosecute; you say that you intended to prosecute at some

other period. Pray what was that other period? When did you prosecute? Why have you impaired the rights and privileges of legati? Why have you abandoned and betrayed the cause of the Roman people? Why have you paid no regard to your own wrongs, which were intimately connected with wrongs done to the state? Was it not your bounden duty to bring the cause before the senate? to make a formal complaint of injuries so deep? to have these men who had excited the crowd summoned by letters from the consul? Lately, at the request of M. Aurelius Scaurus, who said that he, when quaestor, had been forcibly prevented at Ephesus from moving his slave from the shrine of Diana (he had taken sanctuary there), Pericles, an Ephesian, a most noble man, was summoned to Rome, having been accused as the perpetrator of that outrage. If you had given information to the senate that you, a legatus, had been treated in this way at Lampsacus, your companion wounded, a lictor murdered, yourself besieged and nearly burnt alive, that Themistagoras and Thessalus were the ringleaders and principal actors in that affair, as you say in your letters, who would not be indignant? Who would look out for himself when a wrong like this had been inflicted on you? Who under such circumstances would not believe that not only your cause, but interests of the public were at stake? In truth, the title of legatus ought to be inviolate not only in the midst of the rights of the Socii, but even amidst the weapons of enemies.

XXXIV. The charge in which Lampsacus is concerned is a serious one; it is a charge of lust and vile guilty passion. Listen now to a charge of avarice, scarcely less iniquitous in its way. He ordered the Milesians to supply him with a ship to guard and escort him to Myndus. They at once provided him with a fast sailing craft, one of their own fleet, a splendid vessel adorned and armed in first class style. With this to protect him, he went off to Myndus. About the wool belonging to the state, that he took away from the Milesians, about his extravagance on his arrival, about the insults and injuries that he heaped on the Milesian magistrates, although not only a true but a serious and overwhelming account might be given, still I will say nothing on these points and will keep them in reserve to be fully proved on

another occasion ; but listen to this which cannot in any way be passed over in silence, nor yet described in fitting language. He orders the soldiers and rowers to return by land from Myndus to Miletus. Verres himself actually sold that beautiful vessel, which had been selected from the ten ships belonging to the Milesians, to L. Magius and L. Rapius, then residing at Myndus. The senate very lately decreed that these men were to be considered in the light of public enemies. These men sailed in this vessel to all the enemies of the Roman people, as far as from Dianian in Spain to Sinope in Pontus. O ye immortal gods ! what incredible avarice, what unprecedented audacity ! Verres, had you the audacity to sell a ship belonging to the Roman fleet, which the state of Miletus had placed at your service in order to protect you ? If the enormity of your crime, if a regard for public opinion had no influence on you, did not the thought occur to you, that the very noble and illustrious state of Miletus would be a witness against you to prove the commission of so abominable a theft ? Did you fancy that you had escaped from a possibility of this charge being brought against you, because Cn. Dolabella at your request had attempted to punish the man who had been in command of the vessel, and because he had ordered the report which had been entered in the public registers to be erased ?

XXXV. Opinions like these of yours have greatly led you astray, and on many occasions. You always fancied, and particularly in Sicily, that you had made ample provision for your defence, as soon as you had forbidden some affair or other to be entered in the public records, or had, by compulsion, caused all that had been so entered to be erased. Although you learnt in the first pleading how useless a measure that was, particularly in the case of many of the states of Sicily, notice it once more in regard to this city. Its citizens are obedient to orders, I own, as long as those who give the command are present ; but on their departure they not only set down in full all that they have been forbidden to enter, but also state the reason why it was omitted at the time in the public documents. Those documents are still at Miletus, and will remain there as long as the city exists. According to the orders of Lucius Murena, the people of

Miletus had built ten ships out of the tribute imposed by the Roman people, just as the other Asiatic cities had done, each according to its means. Consequently in their public records they made this entry: that one of the ten had been lost, not by a sudden descent of pirates, but stolen by a legatus, not by stress of weather, but by this horrible tempest that beset the allies. Milesian ambassadors are now at Rome, men of birth, the leading men of the city, who though awaiting the arrival of the month of February and to hear the names of the consuls-elect, still not only do not dare to deny the commission of so atrocious an act, but, if they are brought forward, will not be able to hold their peace on the subject. Influenced by religious feelings, and also by their fear of the laws of their country, they will tell you what became of that vessel; they will prove to you that Verres proved himself an infamous pirate in respect of that fleet which was built to repress piracy.

XXXVI. When Dolabella's quæstor, Caius Malleolus, had been slain, Verres concluded that two inheritances had fallen to his lot; one, the office of pro-quæstor, for he was ordered at once by Dolabella to act as deputy quæstor; the other, a guardianship, for, being appointed guardian to young Malleolus, he immediately made a raid on his property. For Malleolus started off for his province with such ample provision, that he actually left nothing behind him at home. Besides this, he had laid out his money in loans to the provincials, and had taken acknowledgments for those loans. He had carried out with him a large quantity of excellently wrought silver—for he, too, as might be expected of one of Verres's companions, was infected with this disease of covetousness—and left behind him a great weight of plate, a large establishment of slaves, many mechanics, and many beautiful youths. Verres seized as much of the plate as he liked; carried off all the slaves he had a mind to; removed all the wines and other things that are very easy to procure in Asia, which Malleolus left behind him; everything else he sold, and got in the money. Though it was evident that he had received two millions five hundred thousand sesterces, on his return to Rome he did not give in a single account to his ward, or to his ward's mother, or to the other guardians; though he had

the slaves belonging to his ward employed as workmen in his own house, and also about his person other slaves of handsome persons and good education, he said that they belonged to him, that he had bought them. When the boy's mother and grandmother repeatedly begged him, if he intended neither to restore the money nor give in any accounts, at least to say how much of Malleolus's money he had received, being tired with their constant importunity, he at last said that he had had a million of sesterces. Then at the bottom of his tablets, by means of a most disgraceful erasure, he put in this entry: Verres put down that he had received six hundred thousand sesterces on account of his ward, Malleolus, and that he had paid the same to a slave named Chrysogonus. How from a million they became six hundred thousand; how the six hundred agreed with the other accounts; just as in the case of Carbo's money there was a balance of exactly six hundred thousand sesterces; how they were entered as paid to Chrysogonus; why that item appeared at the bottom of the tablet and inserted on the top of an erasure, you will readily conceive. Yet, after entering six hundred thousand as received, the fifty thousand have never been paid over. As for the slaves, since his impeachment some have been restored, whilst he has retained possession of others;* all their earnings, and their deputies or under-slaves, are also retained by him.

XXXVII. This is the history of this fellow's nice guardianship. See, this is the kind man to whom you entrust your children; this is his respect for the memory of a dead companion; this is his fear of the opinion of men about himself. When the whole of Asia had surrendered itself, to be harassed and plundered by you, when all Pamphylia had laid itself open to you to be spoiled, you were not content with those rich results; would you not keep your hands from your trust, from your ward, from the son of an old comrade? It is not now the Sicilians, a set of ploughmen as you constantly call them, who hem you in on all sides; it is not the men whom you have roused to action and to hos-

* By usage a slave had a kind of property, which was considered his own; this was called 'peculium.' 'Vicarii servi' were slaves that another slave was allowed to hold as part of his 'peculium.' The slave was their 'quasi dominus.'

tilities by your tyrannical decrees and edicts; it is Malleolus, whom I have brought hither, with his mother and grandmother; these unhappy women, with loud lamentations, maintain that the boy has been defrauded by you of his father's property. What are you waiting for? Are you waiting till Malleolus himself shall rise from the shades below, and demand of you a reckoning to show how you have discharged the duties of guardian, of comrade, of friend? Imagine that he is here, that he addresses you thus: 'Most avaricious, foulest of men! restore to my son his property; if not all that you have stolen, at least, all that you admit. Why do you compel the son of an old comrade to utter his first speech in the forum with indignation and complaint? Why force the wife of your comrade, the mother-in-law of your comrade, in fine, the whole household of your deceased comrade, to give evidence against you? Why compel most modest and excellent women to take unwillingly a most unusual step and show themselves in a crowded assembly of men? Read aloud all their evidence.' (*The mother's and grandmother's evidence is read.*)

XXXVIII. How this person as deputy-quæstor oppressed the state of the Milyades, how he victimized Lycia, Pamphylia, Pisidia, and all Phrygia, by exacting coin from them, by assessing it with that Sicilian valuation of his which he then invented, is not necessary for me to prove by my words. You must, however, learn this fact, that damages were laid in the action against Dolabella to the amount of three million sesterces, under these headings, for all his transactions in which he exacted from these states corn, skins, hair,—cloth; sacks, without receiving the goods, but demanding money in their place. Though all these things took place with the consent of Dolabella, still they were managed and carried out by the agency of Verres. I will take my stand on one entry only; there are plenty of the same kind. Read (*the action against the quæstor Dolabella—account of moneys paid in—the amount received from the state of the Milyades*). I say that you collected these payments, that you assessed them, and that the money was paid to you. I prove that you made your way, whilst collecting immense sums, with the same deeds of violence and injury through every part of the province

like some destroying hurricane or pestilence. Consequently M. Scaurus, who prosecuted Cn. Dolabella, held him in his power and in subjection. Considering that he was but a youth, he acted with great skill and caution in tracing out and getting information about numerous robberies and villainies committed by the man; he showed the man a vast volume of his actions; he got out of the man all he wanted against Dolabella; he brought him up as witness, and the man said everything that he fancied the prosecutor wanted him to say. Of this class of witnesses, I mean of men who were associated with him in his robberies, if I were willing to make use, I could have an abundant supply of men ready to go whithersoever I might want them, in order that they might free themselves from the danger of a prosecution on the ground of participation in his crimes. I rejected the offers of all such. In my camp I had no room for a traitor, much less for deserters. Perhaps men who have done all such things may be considered better prosecutors. Granted; but I wish to win public applause principally in the character of a defender, not in that of an accuser. Verres managed to obtain an adjournment from the senate, alleging that his accounts had been sealed up by Dolabella's prosecutors—just as if he had not the power of taking copies. This is the only man who is not to hand over accounts to the treasury.

XXXIX. You have heard how he rendered the accounts of his quæstorship in three lines, of his legatio no accounts at all, till the man was convicted who alone could detect anything wrong in them; but up to the present day he has not rendered the accounts of his prætorship, which according to the senate's decree he ought to have rendered at once. He said that he was waiting for the appearance of the quæstors in the senate; just as if a prætor was unable to produce his accounts in the absence of the quæstor, just as a quæstor without a prætor, as you, Hortensius, and everybody else has done. He said that Dolabella obtained the same concession. The omen pleased the senators more than the argument. They allowed it. But now the quæstors have been some time in presence. Why have you not given in your accounts? Some of the items of the accounts to be found in the scum of that legatio and pro-quæstorship of

yours are of necessity entered also in Dolabella's accounts. (*Here an extract is given from an account of the damages assessed against Dolabella, prætor and pro-prætor.*) The sum that Dolabella has put down to Verres as received from him is less than the sum which Verres has entered as paid to him by five hundred and thirty-five thousand sesterces; the money that Dolabella makes Verres to have received, a greater sum than that entered on his tablets, is two hundred and thirty-two thousand sesterces; and in the matter of corn, where he makes him to have received a larger amount, you, O most immaculate of men, have made quite a different entry. From such sources as these, those irregular profits of yours, which we are tracing out without anyone to guide us, and yet most minutely, swelled up. Hence that account with Q. and Cneius Postumus Curtius, with its numerous items, none of which appear in this fellow's tablets; hence the fourteen hundred thousand sesterces paid at Athens to Publius Tadius, as I will prove by witnesses; hence that openly-purchased prætorship; unless this is a doubtful point, how the man managed to make himself prætor. Verily, he was a man of noted energy or industry, or else of high reputation for economy, or, in fine, though it is a very trifling matter, of constant and punctual presence in our assemblies; though before he was quæstor he had ever lived with pimps and prostitutes; though he had spent his quæstorship—you all know how; though since that disgraceful quæstorship he had scarcely been three days in Rome; one who, though absent, had never passed into oblivion, whose infamies had been the unfailing theme for conversation with everyone—this fellow the moment he reached Rome was made prætor gratis. That other money, too, was paid to escape impeachment; well, it is no concern of mine who got it. That it really was paid was a well established fact at the time of its occurrence. Foolish, infatuated man, when you were making up your accounts, and wished to evade the charge of making irregular profits, did you imagine that you would succeed in escaping from all suspicion, if in the case of men to whom you lent money you did not enter it as paid to them, and put down no entry of such items into your account-books, whilst the Curtii all the time were crediting you in their accounts for all they received

from you? What did it profit you that you had not entered what had been paid to them? Had you an idea that you were going to plead your cause and produce no account-books but your own?

XL. Let us next proceed to that glorious prætorship of yours, to those charges that are better known to those who are here present than to us, though we have come hither prepared to speak after careful reflection. On these points I am not certain that I shall be unable to avoid and escape some imputation of negligence. There are many who will say, 'He has said nothing about the affair that I was concerned in; he has not even alluded to the wrong inflicted on myself or my friends—matters in which I was personally engaged.' I earnestly appeal to all who are acquainted with the crimes of this man—I mean all the people of Rome—to hold me excused in this matter—to believe that it will not be owing to negligence that I pass over many events, but because I wish to reserve certain facts untouched for the production of witnesses, and because I believe that many things must be entirely omitted with a view to brevity, my time being limited. I must own, too, though much against my will, that, as he never allowed a moment to elapse free from guilt, I have been unable to ascertain all the wrongs that he has inflicted. You must listen, then, to the catalogues of the crimes of his prætorship with the feeling that you must only demand notice of those which relate to two subjects, one, the administration of justice, the other the repair of public buildings; these are worthy of a criminal to whose charge not one trifling or slight offence can be laid. For after obtaining the prætorship so auspiciously, after quitting his mistress Chelidon, he drew the lot that assigned the city prætorship to himself more in accordance with his own inclination and that of Chelidon than by the choice of the Roman people. Learn, too, the true character of the man from the edicts he drew up and issued at the very outset.

XLI. During the prætorship of Caius Sacerdos, P. Annius Asellus died. He, having an only daughter, and not being on the census, acted as nature prompted him, and, as no law forbade, he made his daughter heiress to the estate. His daughter was heiress. Everything was

in the orphan girl's favour—the equity of the law, her father's wishes, and the usage of the legal rights that were in force at the time when Asellus died. The man Verres—I know not whether he set about this piece of rascality under the instigation and temptation of others, or whether it was owing to his own natural sagacity in such matters—please to notice the audacity and madness of the fellow—summons L. Annius as heir; in fact, he had been named as heir after the daughter—for I am convinced that no application was made in the first place to Verres by Annius; he says that he can secure the inheritance for him by an edict; he gives the man instructions in all that could be done. To the one the property seemed desirable, to the other it seemed saleable. Verres, though a man of remarkable audacity, nevertheless sent some one privately to the mother; he would rather receive money for not issuing any new edict than interpose a decree so dishonest and inhuman. Now, if her guardians paid money to the prætor on their ward's account, particularly if the amount was large, they did not see how they could include it in their accounts, or how they could give it except at their own risk; at the same time, they did not judge that he would be so dishonest. After numerous applications they refused. Notice here, I pray, how equitable the decree was which he issued at the bidding of the man to whom he presented the inheritance, which was forcibly taken from the children ('As I understand that the *Lex Voconia*'). Who would ever believe that Verres would be the adversary of women? or was he acting against women, with this view, that the whole edict might not appear to have been framed at the bidding of Chelidon? He wishes, he says, to throw obstacles in the way of the covetousness of men. Who more likely to do it than he? I don't say among men of our day, but even among our ancestors. Who was ever so clear of the sin of covetousness? Read, I pray, what follows; for the gravity of the man, his knowledge, his personal influence, charm me ('Who, since the consulship of A. Postumius and Q. Fulvius, has made or shall have made,' etc. . . .*). Who ever issued an

* The absence of the text of the edict makes this passage very obscure; perhaps the words following 'postve' had reference to testators being 'censi': 'fecit, fecerit,' to 'virginem mulieremne heredem.'—LONG.

edict in this form? Who ever, by an edict, laid a snare or raised a risk in respect of a matter which could not be provided against, either before or after the edict?

XLII. P. Annius had made a will according to law, to statutes, and the views of all consulted on the subject; a will neither dishonest, nor undutiful, nor unjust. Even supposing that he had made such a will, still, after his death, no new statute ought to have been passed relative to his will. Doubtless the Lex Voconia highly pleased you? You should have imitated Q. Voconius himself; he, by his law, deprived no female, married or unmarried, of her inheritance; he established a law for the future, that no one entered on the census the year after the appointment of those men to the censorship, should make either matron or virgin his heir. In the Voconian law the words 'has made or shall have made' do not occur. Nor in any law is censure thrown upon time past, except in cases which are criminal and wicked in themselves, so that, even if no law existed on such matters, men take care to keep aloof from them. And in such cases we see that many points are settled by law in such a way that prior events cannot be taken into court. For instance, the Lex Cornelia about wills, the law against forgery, and many others, in which no new law is passed with reference to the people; but it is settled, in the case of that which has been always an evil action, that it will be the business of the people, after a certain date, to prosecute the offender. But where civil law is concerned, if anyone frames a new ordinance, will he not permit all previous matters to remain unchanged? Consider the Alinian law, the Furian law, the Voconian law, too, as I said above; in fact, look at every law passed on civil rights; you will find in all of them an enactment which the people are to use after the passing of the law. Thou who ascribe the greatest authority to an edict, assert that a prætor's edict is a one-year law. If the 1st of January terminates a prætor's edict, why not date its birth on the 1st of January? No one, then, in the case of an edict, will be able to move on into the year in which another man is destined to hold the prætorship; but may he retire backward into the year during which another prætor held office? If you had issued this edict for right's sake, and not to benefit a single individual, you would have drawn it up more cautiously.

XLIII. You write, 'If any man has made or shall have made his heir.' What if a person has bequeathed more than comes to the heir or heirs, which man, not registered on the census, is allowed to do by the Voconian law? As this comes under the same class, why do you guard against such a contingency as this? Because in your wording you do not include the interests of a class, but merely those of an individual; hence it is easy to see that you were influenced by a pecuniary consideration. If you had issued this edict prospectively only it would be less iniquitous, though even then unfair and open to grave censure; but its purport could not be called in question, for no one would have acted against the edict. At present it is an edict of such a nature that anyone may see that it has not been framed for the people, but for the second heirs of P. Annius. Now, though that heading has been dressed up by you with so many words, with that bargained-for preface, pray, has any prætor ever been found who has drawn up an edict in the same way? Far from publishing such an edict, no one has ever had any apprehensions that such an edict would ever be published. After your prætorship many persons made wills in the same way; Annaea, for instance, did so very lately. She, following the advice of many of her relations, being a wealthy person—as she was not registered in the census—by will made her daughter her heiress. Great is the judgment of men about this fellow's extraordinary dishonesty; no man has ever had any fears that the person could be found who would avail himself of a rule which Verres had established of his own accord. You are found to be the only man who, not content with correcting the wills of the living, must also rescind those of the dead. Of your own accord you erased this from your Sicilian edict; in extraordinary cases you did not choose to refer to your own urban edict. You have especially come to grief, in the defence that you afterwards left yourself, when you by your own act and deed repudiated your own authority in a provincial edict.

XLIV. To myself, as the father of a deeply-beloved daughter, this subject is excessively grievous and painful; and I doubt not it is equally so to all of you who are moved by a similar affection and love for your daughters.

What has nature ordained to be more pleasing, to be dearer to us? What object is more deserving of the outlay of all our care and indulgence? Most cruel of all men! why did you do such a wrong to the dead P. Annius? why inflict such an indignity on his ashes and bones as to defraud his children of their patrimony, bequeathed to them by a father's will, by right, by law, and present it to the man whose getting it suited you best? Is a prætor to have the power of taking away, after our death, the property and fortune of those with whom we share our possessions in our life-time? Said he, 'I will neither give permission to sue, nor allow her to take possession.' You will therefore deprive a minor of her toga prætexta? you will strip her not only of the decorations of her fortune, but of the signs of her free birth? Are we to wonder that the men of Lampsacus rushed to arms against this man? Are we to be surprised that when he quitted his province he had to sneak out of Syracuse? If we were as indignant for another's lot as we should be if the wrong had been done to ourselves, there would not be a shred of the man left to show itself in the forum. The father leaves his property to his daughter; you forbid it; the law allows it; still you interpose yourself to stop it. He gives it her out of his possessions in such a way as not to lose sight of the law. What fault can you find? None, in my opinion. But I concede the point; forbid, if you can—if you can find any to listen to you—if any person is able to obey your orders. Are you to thwart the wishes of the dead? to rob the living of their property? to withhold justice from all? Would not the people of Rome have forcibly exacted justice, if it had reserved you for this occasion and this trial?

Ever since the establishment of the office of prætor we have ever adopted this principle: if no written will was forthcoming, then, as the deceased had died intestate, possession was decreed in favour of the person who had best claim to the inheritance. It is easy to show why this is the most equitable course; but in a case of such constant occurrence it is quite sufficient to assert that all men laid down the law in this way, that this is an ancient edict and sanctioned by transmission.

XLV. Attend now to another new edict issued by the

man in a very common matter; and at the same time, whilst there is a source from which a knowledge of civil law may be gained, hand over your youths to him as pupils. He is a man of wonderful talent, of wonderful foresight. A certain Minucius died before Verres was made prætor; he made no will; by law, the inheritance went to the Minucia gens. If Verres had adopted in his edict the principle of law which all (prætors) before him and since have adopted, he would have given possession to the Minucia gens; if any man thought that he was heir, by will, though no will was yet produced, he could sue for the inheritance by law, or could proceed by a sponsio, *i.e.*, when he had received sufficient security for the value of the disputed property, and of the intermediate profits; in this way he would sue for the 'hæreditas.' I am of opinion, O judges, that our ancestors and ourselves always adopted this principle. Mark now, how he improved upon it. He draws up an edict in such language that anyone might see that it had been written for the sake of one person only. With the sole exception that he does not give the name he details the case in full; pays no attention to law, custom, equity and the edicts of all former prætors. 'According to the city edict, if there is any doubt about an inheritance; if the defendant in possession will not give security.' Now what matters it to a prætor which is possessor? is not this the point at issue, Who ought to be possessor? Consequently, as he is in possession you do not oust him from it; if he were not the possessor you could not give him the hæreditas. You write nothing to this effect; your edict contains nothing in it except that cause for which you accepted a bribe. This, too, is ridiculous. 'If there is any doubt about an inheritance, and a will is brought before me, signed with the proper number of seals that the law requires, I shall assign the inheritance to the best of my power, according to the contents of the will'; this is the usual course; this is what ought to come next; 'if no testamentary documents are forthcoming.' What does he say then? 'That he will give it to the man who says that he is heir.' What matters it, then, whether a will is produced or not? If he produces it, supposing it has one seal less than required by law, you do not give possession; but if he produce no document

at all, you will give it. What am I then to say ? that no one ever afterwards issued such an edict as this ? Are we to be surprised to find that no one has expressed a wish to be spoken of as resembling Verres ? Verres has not put this passage into his Sicilian edict ; he had already received his pay ; also in that edict, to which I referred, issued in Sicily, about giving possession of inheritances, he acted as all prætors at Rome (himself excepted in Rome) have ever acted. (From the Sicilian edict ; ‘ if a dispute arise about an inheritance. ’)

XLVI. What, in the name of the immortal gods, can be said about this business ? A second time I ask you, as I did just now in that chapter about Annia, on the subject of female inheritance, so I do now in this chapter about the possession of inheritances, Why did you refuse to transfer these chapters into a provincial edict ? Did you think that men living in a province did not deserve as well as we did to enjoy equal justice, or is there one form of equity in Rome and another in Sicily ? It cannot be said on this occasion that many things occur in the provinces requiring different forms of edicts ; this is certainly not the case with regard to obtaining possession of bequeathed property and the inheritances of women. Under both heads, I see that not only other prætors, but that you yourself have issued edicts, word for word corresponding with those issued at Rome. I see that the clauses which you inserted in your edicts at Rome, to your own lasting disgrace, for a bribe paid to yourself, were the only clauses that you erased, under each heading, from your Sicilian edict—I suppose in order that you might not hear yourself reviled without good cause. And although whilst prætor elect, he composed the whole of his edict at the dictation of those who were buying and selling justice for their own profit, as soon as he was in office he gave decisions contrary to his own edict without the slightest scruple. Consequently Piso filled countless note-books with these matters in which he interposed on the ground that Verres had decided contrary to his own edict. Nay, I cannot believe that you have forgotten what a crowd, and what class of people, used to meet before Piso’s seat, whilst this man was prætor ; if he had not had this man for his colleague, he certainly would have been stoned to death in the forum. But the man’s

wrong-doings seemed less oppressive because they found a ready refuge in the equity and prudence of Piso, of which they could avail themselves without trouble, annoyance, expense, even without a patron. Call to mind, O judges, what license the fellow allowed himself in laying down the law, what variety his decrees exhibited, what trafficking in justice; how deserted the houses were of all men whose advice is wont to be taken on civil law, how full and crammed was that of Chelidon! When persons had just quitted her, and had whispered something into his ear, at one time, he would recall those between whom he had given decision, and change his decree; at another time, without the slightest scruple, he gave judgment between other parties, reversing all that he ordered in last cases decided. Hence it came to pass that some men even exhibited themselves in a ridiculous light in their indignation; some, as you have often heard, expressed their surprise that ‘hog broth,’* was such poor stuff; others were still duller in their jokes, but they seemed laughable because they stormed and cursed Sacerdos for omitting to sacrifice such a good-for-nothing boar. I ought, perhaps, not to mention these things: they are not particularly witty, nor worthy of so serious a subject; but I wish you to bear this in mind, that this man’s villainy and injustice were ever on the lips of the populace, in fact, had become proverbial.

NLVII. Towards the common people of Rome, what shall I first speak of, his insolence or his cruelty? Certainly the cruelty is the heavier charge, the more atrocious. Do you think that these men have forgotten how the man used to beat with rods the Roman plebs? This was a matter that a tribune of the people dealt with in a public assembly, when he produced before the eyes of the Roman people the very man whom he had caused to be beaten with rods. Later on, at a proper time, I will give you a chance of knowing all about that matter. Who is there that is unacquainted with the haughtiness of the fellow? the contempt with which he treated all men of low degree, how he looked down on them, never considered a poor man to be a free man at all? P. Trebonius made many good and honourable men his heirs; amongst them his own freedman. He had a

* A pun on the name ‘Verres’—a boar-pig.

brother, A. Trebonius, who had been proscribed. As he wished to provide for him, he wrote in his will that his heirs were to take an oath to see that not less than half of each man's share should find its way to A. Trebonius, his proscribed brother. The freedman took the oath ; but the other heirs went to Verres and pointed out to him that it would be wrong for them to take such an oath ; by doing so they would be violating the Cornelian law, which they said did not allow any help to be given to a proscribed man. They succeeded in getting his sanction for refusing to take the oath ; he gives them possession. I find no fault with this ; certainly it was against all equity that any portion of a brother's property should be given to a proscribed person, and in need. The freedman, however, was of opinion that he would be actually committing a crime if he did not take the oath as directed by his patron's will. Verres, therefore, refused to allow him to take possession of his inheritance, to prevent him from helping his proscribed patron, and to punish him for complying with the terms of the will of his other patron. You give possession to the man who did not take the oath. Well, I allow that it is in the province of a prætor to do so. You take away the inheritance from the man who took the oath. Under what precedent ? It helps a proscribed man. There is a law about that point : there is a penalty affixed. What has the man who decides the case to do with that ? Do you pretend to censure the man because he was helping the patron who was then in trouble, or for carrying out the wishes of the other dead patron, to whom he was deeply indebted ? With which of these two actions are you finding fault ? And on that occasion this worthiest of all men from his chair of office gave vent to this expression : ' Is a freedman to be the heir of so wealthy a Roman knight ? ' How well behaved that class must be, when they let him get away from the place alive ! I have it in my power to bring forward six hundred decrees, with regard to which, even supposing I were to assert that money had nothing to do with promoting them, still their novel form and manifest injustice will establish it beyond all doubt. But in order that from one instance you be able to form your own inferences about the rest, listen to something which you already heard from me in my first pleading.

XLVIII. There was a man named C. Sulpicius Olympus. He died during the prætorship of C. Sacerdos. I am not sure whether his death did not occur some time before Verres thought of standing for the prætorship. Sulpicius made M. Octavius Ligur his heir. Ligur claimed the inheritance; he obtained possession of it, under Sacerdos the prætor, without any dispute. When Verres had entered on his office, by an edict issued by him, which edict Sacerdos never published, the daughter of the patron of Sulpicius began to sue for the sixth part of the bequeathed property against Ligur. Ligur was away at the time. His brother Lucius managed his case; his friends and relations were present. Verres pronounced that unless some settlement with the woman was effected he should order her to go into possession. Lucius Gellius defended Ligur's cause; he proved that the edict ought to have no force in the case of inheritances which had arisen before the time of his prætorship; if this edict had then been in existence perhaps Ligur would never have obtained the inheritance. This equitable demand and high authority of men was overruled by money. Ligur returned to Rome; he had no doubt that if he had a personal interview with Verres he might move the man by the equity of his cause and by his own influence. He visited him at his own house; he explained the business to him; he told him how long a period had elapsed since the inheritance came into his hands; he repeated all that might be said by an able man in a most equitable case, employing many arguments of a persuasive character; at last he began to entreat him not to show such contempt for his personal claims, such scorn of all courteous treatment as to inflict such a wrong on him. This fellow Verres began by abusing him for being so earnest and particular in such an adventitious matter, a mere piece of succession business; he ought to show some regard for his interests too; he too wanted a great deal for himself, and for his hounds.* I cannot put the case any plainer than Ligur did in his evidence before you. What say you, Verres, are we not to give credit even to such witnesses as these? have these things nothing to do with the case? Are we not to believe M. Octavius or L. Ligur?

* The informers and agents whom Verres employed to scent out such affairs as this.

Who will believe us? whom shall we believe? What can be made evident by witnesses if this is not? Are their statements mere trifles? It amounts to no more than this, that a city prætor during his year of office is to establish this law, that he is to be co-heir with all to whom property is bequeathed. Can we have any doubts about the kind of language that he used to address to other men of lower rank, authority, and position, to rustics from the municipal towns, or to those whom he never considered as free men at all—I mean freedmen—when he did not scruple to demand money of M. Octavius Ligur, a man of high position as regards rank, class, name and character, as payment for a sentence in his favour?

XLIX. What am I to say about his conduct in the matter of repairing public buildings? Those who had experience of it have already spoken; there are others ready to speak; facts notorious and evident have been brought forward, and more will be forthcoming. C. Fannius, a Roman knight, own brother to Q. Titinius, one of your judges, has said that he gave you money. Read the evidence given by C. Fannius. Give no credit to C. Fannius when he speaks: Q. Titinius, refuse to believe your brother C. Fannius: what he stated is incredible. He accuses C. Verres of avarice and of audacity—vices which seem to be applicable to any man rather than to this person. Q. Tadius has given evidence, one of this man's father's most intimate friends, not unrelated to his mother in birth and name. He has produced his books, by reference to which he shows that he has paid him money. Read the items of Q. Tadius. Are we to believe neither the books nor the evidence of Q. Tadius? What course are we to adopt in our judicial investigations? What is it but to condone misdemeanours and crimes of all, if we are to disbelieve the statements of honourable men, and the account-books of honest persons? What occasion is there for me to speak of the daily conversation and complaints of the Roman people, of a most impudent theft committed by this man—I ought to call it a piece of new and unprecedented robbery; that he dared, in the temple of Castor, in that much visited and most famous monument, a temple ever before the eyes, and the daily view of the Roman people, where the senate

so often meets, a place daily crowded by those who attend to give aid on most important matters—in such a place, knowing, too, what men would say about it, dared to leave an everlasting record of his audacity?

L. Publius Junius, O judges, had the keeping of the temple of Castor, during the consulship of L. Sulla and Q. Metellus. He died, leaving one son, a minor. When Lucius Octavius and Caius Aurelius had let out contracts for repairs of sacred buildings, and were unable to complete the survey of buildings put in repair, nor could the prætors do it, to whom the business had been transferred (I mean C. Sacerdos and Marcus Cæsius), the senate passed a decree that the prætors C. Verres and P. Cælius were to survey and decide about the repairs of those edifices, with regard to which no survey or decision had been made. This Verres, as soon as this duty was conferred upon him, as you have been informed by C. Fannius and Q. Tadius, although he had unscrupulously helped himself on all possible occasions, without the least disguise or sense of shame, decided, on this occasion, to leave a most glaring evidence of his robberies, one which we might not only hear of every day of our lives but actually see. He inquired whose duty it was to hand over the temple of Castor in proper repair. He was aware of the death of Junius; he wished to ascertain to whom that business now belonged. He hears that his son was a minor. The creature, whose constant remark was that all minors, both male and female, were the surest game for prætors, observed that the chance so long wished for had at last fallen into his lap. Although that edifice, so vast, so elaborately built, was in perfect repair, still he conceived that he might find something to work on, some robbery to effect. The care of the temple of Castor ought to have been entrusted to L. Rabonius: he happened to be the guardian of young Junius by his father's will. An agreement had been made with him, with prejudice to neither party, for the transfer of the business. Verres summoned Rabonius into his presence; he inquires whether there was anything still untransferred from his ward upon which a claim could be made. When he was informed of a fact which was quite true, that the transfer had been an easy one for his ward, that all the statues and offerings were in their proper places, that the temple was in perfect repair, Verres began to think it a monstrous

shame if he could not come off from the matter of so great a building and from so extensive a work, without enriching himself with the plunder of a minor.

LI. He personally inspects the building, examines the temple very carefully ; he sees that it has a most beautifully panelled ceiling, that everything is fresh and sound. He turns himself about ; looks out to see what he can do. One of those hounds—you recollect he told Ligur that he kept a great many—said to him : ‘ There is nothing for you to do here, Verres, unless you go to work with a plumb-line and test the columns by it.’ The creature, ignorant on all matters, asks what is meant by testing columns with a plumb-line. They tell him that scarcely a column can be found truly upright when tested by a plumb-line. ‘ Well, well,’ said he, ‘ let us go that way to work ; let the columns be tried by the line.’ Rabonius, being acquainted with the terms of his contract, in which terms the number only of the columns was set down, without any mention of a plumb-line, did not think it expedient to accept the charge of the temple on such terms, lest he should find himself bound to surrender it under the same conditions, and denied the obligation ; he asserted that no such demand ought to be made. Verres tells Rabonius to keep quiet, and at the same time holds out to him some hopes of being partner in the job ; he easily coerces the man, for he was a man of moderate views, and not very tenacious of his opinions ; consequently, he persisted in his resolve to test the columns of the temple. This sudden turn of events, the unlooked-for trouble of the ward, were both at once reported to Mustius, the step-father of the ward, lately deceased ; to M. Junius, the uncle ; to P. Potitius, another guardian, a most frugal person. They report the matter to a man of high position, of high morality and virtue, M. Marcellus, another guardian of the youth. Marcellus waited on Verres ; begged him, in the name of good faith and duty, with many words, not to attempt to oust Junius, his ward, from his father’s fortune, by an act of the grossest injustice. Verres, who, in hope and expectation, had already devoured his prey, was unmoved, either by the justice of Marcellus’ pleadings or by his authority ; he gave answer that he should proceed with the survey according to notice given.

Seeing that all communications with the fellow were difficult, that access was impracticable, in fact, almost closed up, in the case of a man with whom neither right, nor equity, nor compassion, nor the pleadings of a kinsman, nor the wishes of a friend, nor the personal influence of any man had the slightest weight, they decide that the best thing they can do (and it was an idea that might have occurred to anybody) was to apply to Chelidon for help; she, in fact, as long as Verres was prætor, was supreme judge in Rome, not only in civil law and in all private disputes, but also in this business of repairing buildings.

LII. A Roman knight, a farmer of revenues, a man of the highest integrity, I mean C. Mustius, called on Chelidon; so did M. Junius, the boy's uncle, a careful man of unstained character; also P. Potitius, the guardian, a man high in office, of pure morality, of high standing in his own class. What a prætorship was yours! How oppressive to many! how miserable! how scandalous! To pass over other matters, with what a feeling of shame, of indignation, do you think that such men as these visited the house of a courtesan?—men who would have submitted to such indignity on no account, if the consideration of duty and kinship had not compelled the step. They went, as I tell you, to Chelidon. The place was full; new statutes, new decrees, new decisions were wanted: 'Let him give possession to me;' 'Let him not deprive me of, etc.;' 'Don't let him decide against me;' 'Let the property be adjudged to me.' Some were paying money; some were signing documents. The house was filled, not with a kept mistress's suite, but with a crowd of prætorian suitors. As soon as permitted, the persons named above have an interview with her. Mustius is spokesman; he explains the business; begs for assistance; promises money. Considering her character, she gives no uncourteous answer; she says that she will gladly do as they request, and will talk it over with Verres, and tells Mustius to call again. They depart, and call again the next day; her reply is that the man is inexorable, for he says that much money may be made out of the business.

LIII. I have my fears that perhaps somebody here, not present at my former pleading, may think that these

things have all been invented by me, because, owing to their excessive turpitude, they are almost beyond belief ; but you, O judges ! have known these things some time. P. Potitius, guardian to the minor Junius, declared them on oath ; so also did M. Junius, guardian and uncle. Mustius would have given similar evidence had he been alive ; but in his place Domitius has stated that he heard Mustius give the same account of the matter whilst it was still recent, although he knew that I had heard it all from Mustius in his lifetime, for I was very intimate with him (for I conducted the defence and won the case for Mustius—almost all his property was at stake). Though I repeat it, Domitius knew that I was aware of the fact that Mustius was accustomed to tell him everything, still he repressed all mention of Chelidon as long as he could ; he turned off his answer to something else. In that most distinguished young man, a model for all youths to copy, there was such a sense of modesty that, for a considerable time, though hard pressed by me, he would give any answer rather than name Chelidon. At first, he said that certain intimate friends of Verres had been deputed to approach him on the matter ; at last, being forced to do so, he gave the name of Chelidon. Tell me, Verres, are you not ashamed at having exercised your prætorial powers according to the will of a woman whose character was such that Domitius thought it scarcely decent to mention her name ?

LIV. Failing with Chelidon, they adopt the plan forced on them, of managing the business themselves. They settle the business, which ought to have cost less than forty thousand sesterces, for two hundred thousand, with the guardian Rabonius. Rabonius reports the matter to Verres, thinking that the sum exacted was quite heavy and shameful enough. Verres, who had looked out for a great deal more, receives the information from Rabonius with much abuse, telling him that he cannot satisfy him with such a settlement. Not to be tedious, Verres affirmed that he would let the contract anew. The guardians know nothing about this ; they think that Rabonius' settlement is definitely fixed ; they fear no further trouble for their charge. Verres loses no time ; he begins letting out his contracts, no notice of the day being issued by writing or proclamation, at a very dis-

advantageous date, just when the Roman games were on, and the forum dressed for the occasion. Rabonius, in consequence, lets the guardians know he revokes his previous settlement. The guardians, moreover, lose no time in showing themselves at the appointed time; Junius, the uncle, makes a bid. Verres changed colour; his countenance, his speech, his senses began to fail him. He began to consider what he ought to do. If the ward got the contract, if the business escaped from the hands of the public contractor whom he had in readiness, he would miss all his plunder. So he devised—what? Nothing very cleverly; nothing about which a person might observe. The business was done in a rascally manner, but very cleverly. Do not look out for any well-disguised, any crafty artifice; you will find everything open, clear, shameless, senseless, audacious. If the contract is secured for the minor the plunder is snatched out of my hands. What remedy is there for this? what? Don't allow the minor to get the contracts. What becomes of the usage in selling goods, or the properties of securities, and their landed estates, observed by all consuls, censors, prætors, and lastly by quæstors?—namely, that the person should have the preference to whom the estate belongs, who has the greatest stake in the business. He excludes from the bidding the only person who, I was nearly saying, ought to have had that privilege. Why does anyone aspire to my money against my will? Why comes he forward? A contract is sought for, repairs are to be executed at my expense; I maintain that I am the person who is going to do the repairs; you who put out the work will have an opportunity of judging if it is properly done. Full provision for the interests of the people has been made in the way of securities and their estates; if you do not think it sufficient, you, the prætor, will send, at your own pleasure, persons to take charge of my possessions; but will you not also allow me to take steps for the defence of my own fortune?

LV. It is worth while noticing the contract itself; you will own that the same man drew it up who drew up the edict about the inheritance: 'The contract for work to be done, which the minor Junius,' etc. Express yourself, I pray you, more clearly. 'Caius Verres, prætor of the city, has added . . .' The terms of the censor's contract

are being amended. . . . For what is it that I see in many contracts? something like this: 'Cn. Domitius, L. Metellus, L. Cassius, Cn. Servilius have added,' etc.; and so Verres wants something of the same kind. Well, say, what did he add? 'Any man who (has taken a contract) from L. Marcius and M. Perperna, the censors, must not be admitted as partner in this work; you must not give him a share in it; he must not contract for it.' Why so? to prevent faulty work? but you would have to inspect it: for fear he had not capital enough? but, as regards the public, sufficient security had been taken as regards persons and estates, and additional security would have been forthcoming at will. At this point, if the business itself, if the indignity inflicted by your injustice had no effect upon you, if the misfortune suffered by a minor, if the tears of relations, if the risk encountered by D. Brutus, whose estates were pledged, if the influence of M. Marcellus, his guardian, had no weight with you, did it never strike you that your crime would prove one which you could neither deny (for you had entered it on your account-books), nor could you confess it and at the same time urge any excuse for its commission? The contract was assigned at five hundred and sixty thousand sesterces, though the guardians cried out that they could do the work to suit even that most unjust of men for eighty thousand. In reality, what amount of work was done? Just what you have seen. All those columns that you see newly whitened, they had scaffolding put around them, they were taken down at a trifling expense, and re-erected with exactly the same stones. You let out this work for five hundred and sixty thousand sesterces. In the number of these columns there were some that your contractor never stirred; in some cases only the outside plaster was scraped off, and a new coat given. Now, if I had thought that white-washing columns cost so much, I certainly should never have put up for the ædileship. After all, to give it the appearance of a public job, and not of a robbery inflicted on a minor, notice this: 'if any damage is done in the course of the work, you must make it good.'

LVI. What damage could he do, when he was merely replacing every stone in its place? 'Let the contractor

give security for *damnum infectum** to him who shall have the building delivered up to him from the former contractor. He is surely mocking us when he orders Rabonius to give security to himself. 'Ready money shall be paid.' From what funds? From funds belonging to the man who shouted out that he was ready to do for eighty thousand sesterces what you put out at five hundred and sixty thousand. What funds then? From the property of a minor, one whose age and loneliness, supposing he had no guardians, the prætor himself ought to have protected. But as he had guardians who did protect him, you took away not only the paternal estate, but also the property of the guardians. 'Let him make the work good with what is fit and proper for each part.' I suppose a quantity of stone had to be cut and brought in its own machine. No; for no stone at all or timber came thither; in that contract there was no more to be done than required the hire of a few workmen, and the cost of the machine. Do you think that it was a matter requiring less work to make an entirely new column, without any old stone, or to restore those four to their places? No one has any doubts that it is a much heavier job to make one new one. I will prove that in private buildings, though the conveyance of material was long and difficult, columns quite as large as these have been erected by contract in the open court at forty thousand sesterces apiece. But it is absurd to reason at greater length about the fellow's impudence, when it is so evident all through the contract that he has openly showed his contempt of what all men would say or think, but particularly so in the final clause: 'Let him keep all the old materials.' As if there would be any old materials to cart away; as if the whole of the work had not been done with old materials! But it may be urged, even if the ward, a minor, could not have the contract, then there was no need for the matter to get into the hands of Verres. Some other person might have come forward to undertake the business. All men are unmistakably

* '*Damnum infectum*' is damage not actually done to a man's property, but damage which might be reasonably expected if proper precautions are not taken. For instance, if a dilapidated building threatened by its fall to injure some person's property, the owner of such a dangerous property might be called on to repair it or give security for possible damages.

excluded, no less than the ward. He names a day by which the work is to be completed—the first of December. The contract is given out about the thirteenth of September. These short dates exclude all.

LVII. How, then, how does Rabonius manage to be up to time? No one troubles Rabonius, either on the Kalends of December, or on the Nones, or on the Ides. In short, Verres himself went away to his province some considerable time before the completion of the work. When prosecuted, he said at first that he could not pass the work as satisfactorily performed; when Rabonius pressed the matter, he laid the blame on me, saying that I had sealed his books up. Rabonius makes suit to me, and gets his friends to make interest with me. He easily gets all he wanted. Verres was at a loss what to do. If he did not pass the work, he thought he might have some defence; still he felt convinced that Rabonius would disclose the whole of the business. Still, how could the case be clearer than it is? In order to get rid of one witness, he passed the work in favour of Rabonius, four years after the day prescribed for its completion. No other contractor, if any other person had offered himself, would have had such favourable terms as Rabonius. After excluding all others by fixing so short a date, there was a general reluctance amongst all men to put themselves at the disposal and in the power of a man (Verres) who would consider that his prey was taken out of his hands (*if Rabonius didn't get the contract*). Let us not discuss the question, where did the money go to; he settles that for us. First of all, when D. Brutus contended so resolutely with him, who paid out of his own pocket five hundred and sixty thousand sesterces, and when he would stand his importunity no longer, though the work had been given out, and securities had been taken for its performance, he refunded one hundred and ten thousand. Now he certainly would not have done this if he had not been connected with the business. Secondly, the money was paid to Cornificius, and he cannot deny that he was his secretary. Lastly, Rabonius's own books loudly maintain that the plunder all went to Verres. Read 'Rabonius: Items of Accounts.'

LVIII. At this point, in the first pleading, Quintus Hortensius objected that the ward, Junius, came into

your presence wearing his prætexta, and stood by the side of his uncle whilst he was giving evidence; he repeatedly cried out that I was employing clap-trap, and exciting odium against Verres by bringing the boy forward. What trick was there, I ask you, to win applause in the case of that boy? to raise odium? One would think I had brought forward the son of Gracchus or Saturninus, or some man of that class, in order that I might rouse up the feelings of an ignorant multitude by the mere name and memories of his father. This was only the son of one P. Junius, one of the common people of Rome, whom his dying father thought he had left in charge to guardians and relations, to the laws of his country, to the equity of our state officers, and to our judicial tribunals. This youth came before your tribunal, robbed of all his patrimony and fortune by the rascally and villainous roguery of this man, if for no other purpose, at least to see the man who had caused him to spend so many years in mourning, dressed a trifle more meanly than usual. It was, therefore, not his age, but his cause, not his dress, but his reverse of fortune, that seems to you to appeal to the feelings of the public. It did not affect you so much to see him in his prætexta as to see him without his bulla. The sight of that dress, that custom and the privilege of free birth entitled him to wear, worked on no man's feelings. But men were indignant and disgusted at seeing that the ornament of his boyhood, given him by his father, too, a proof and sign of fortune, had been wrested from him by that brigand. Nor were those tears shed alone by the people: we shed tears too, and so also did you, Hortensius, and those, too, whose duty it is to give a verdict in this case. Now, inasmuch as this is a cause in which all are concerned, a danger from which no one is exempt, such villainy as this, like an incendiary fire, must be extinguished by the united exertions of all. We, too, have our little ones; it is uncertain how long the life of each of us may be. During our lifetime, then, we must provide and ensure the defence of their loneliness and childhood by the strongest possible safeguards. What person is there that can defend the tender age of our children from dishonest magistrates? The mother, I suppose. The mother of Annia, excellent though she was, proved, of

course, a mighty protection to her daughter when left a minor; nevertheless, though she appealed both to gods and men for aid, he robbed the orphan of her father's estate. Could guardians defend them? Easily, no doubt, before a prætor like this man, who made light of the reasoning, the earnestness, and influence of M. Marcellus, pleading as guardian the cause of his orphan charge, Junius.

LIX. Ask me how he behaved in remote Phrygia, in the distant region of Pamphylia, in the piratical war. What a pirate he showed himself! The man is found to be an unscrupulous freebooter of the Roman people in the forum. Can we have any doubts of the nature of his conduct as regards spoils taken from the enemy who got so much spoil for himself out of the spoils of L. Metellus, who contrived a contract for whitening four columns at a higher price than Metellus paid for putting them up? Are we to wait to see what the witnesses from Sicily will depose? What man has ever cast an eye on that temple without becoming at once a witness of your greed, of your wrong-doing, of your consummate audacity? Has any man ever walked from the statue of Vertumnus into the Circus Maximus without feeling himself reminded, every step he took, of your avarice? On this road, traversed by sacred cars and solemn processions of that nature, you allowed repairs to be completed in such style that you dare not use it yourself. Can anyone imagine that you ever showed mercy to our allies, when you were separated by the sea from Italy—you, a man who willed that the evidence of your thefts should be the temple of Castor, which the Roman people saw every day, which even your judges would have in view when on the point of passing judgment upon you?

LX. During his prætorship, too, he sat as judge in public cases; even this must pass unnoticed. The recovery of a fine from Q. Opimius was applied for before him as prætor. This Opimius was brought before the court, nominally, because, whilst tribune of the people, he had interfered by his veto in violation of the Cornelian law, but in reality because during his tribuneship he had said something which had given a nobleman grave offence. If I chose to say anything about that trial, I should have to name and assail many persons,

and there is no necessity for my doing so. I will limit myself to asserting that a few arrogant men, to give them a very mild appellation, by way of amusement and joke deprived Quintus Opimius of all he possessed. Does Verres complain to me that I brought the first pleading of his cause to an end within the period of only nine days? When he sat as prætor, Quintus Opimius, a senator of the Roman people, lost his property, his fortune, and all that adorned his position in the space of three hours. This most iniquitous judgment was the reason why the proposition has so often been discussed in the senate to do away with all fines and judgments of this nature. It would take up too much time if I were to tell you how much plunder he gained by selling off the property of Q. Opimius, how undisguisedly, how scandalously he helped himself. But I will say this much: if I do not prove it to you by the books of most honourable men, believe then that I have invented it all to suit the occasion. Now, a man who could see a senator of the Roman people in deep distress, and, after presiding as prætor at his trial, could endeavour to carry away to his own house, and also to take down spoils and prizes won in war, is not a man who can ask for mercy for himself.

LXI. I say nothing of the substitution of judges by Junius.* Why should I? Do you think that I dare say anything against the lists you produced? It would be hard to do so, would it not? Not only does your own personal influence and that of the judges deter me, but the signature of the golden ring of your secretary. I will make no assertion that is hard to prove; I will only say this, and will prove it, too, that many first-class men heard you say that you deserved to be pardoned for bringing forward a falsified list; for if you had not kept a careful lookout, you must have perished in the flames of public odium which consumed C. Junius. In this way Verres has learnt to provide for his own safety, by enter-

* Junius was 'judex questionis' in the trial of Oppianicus. Verres, as prætor, looked after the appointment of the judges; also the appointment of judges to supply the places of the rejected judges. Some of the judges and Junius himself were prosecuted for corruption in this business, and Verres promoted their conviction by erasing some of the names of the appointed judges from his registers, and by inserting others; thus confirming the suspicion entertained that Junius had tampered with the lists of judges appointed by Verres.

ing into his private and public documents that which had never taken place ; by erasing that which had ; by continually removing, changing, or interpolating something. For now he is proceeding to such lengths that he cannot devise a defence of his crimes without committing fresh crimes. The madman actually thought that a similar substitution of judices in his own trial might be effected by his agent, Q. Curtius, the principal judge. Unless I had prevented that by the power of the people, by the clamour and outcries of all men, he would have taken by lot from the decuria, in which I ought to have unlimited freedom of choice, those whom Verres indicated, into his own ' consilium ' without any sufficient reason.*

* A difficult and probably corrupt passage. Sometimes the words 'desunt multa' are printed at the end of this oration. One of the best authorities, the 'Cod. Vat.,' affirms that it is complete. 'In C. Verrem explicit feliciter.'

THE END.

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